

060003143

INSTRUMENT PREPARED BY
VIRGINIA GAS AND OIL BOARD

ORDER RECORDED UNDER CODE
OF VIRGINIA SECTION 45.1-361.26

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

APPLICANTS:

Hurt McGuire Land Trust, AND
Thomas Stilwell Heirs, being Beulah V.)
Osborne, Martha J. Stilwell, Virginia N.)
Stilwell, Nancy Jackson, Darlene Ward,)
Maxie Boyd, Ruth Osborne Smith, Judy)
Blankenship, John Osborne, Ida Proffitt)
Hubbard Osborne, Arlin W. Osborne, Jackie)
D. Osborne, Marvin J. Osborne, Leonard C.)
Stilwell, Connie Stilwell, Wanda Hagy,)
Bessie Lowe, Bernadine R. Lisburg, Gladys)
E. Pollert, David W. Stilwell, Thomas H.)
Stilwell, Daniel J. Stilwell, Burnice R.)
Lamb (Herein, "Thomas Stilwell Heirs)
Subject to Split Agreement"), AND)
Albert Ball Heirs, being Myrtle Ball, Tommy)
Ball, Melissa Lawson, Steve Ball, Danny)
Ball, Wilma Hale, Elsie Mutter, Peggy)
Shook, Linda Johnson, Teresa Church,)
Sandra Vance, Bailey Whited, D. Faye)
Lowe, Nell Shreve, Nancy Young (Herein,)
"Albert Ball Heirs Subject to Split)
Agreement").)

RELIEF SOUGHT:

Issuance of an Amended Supplemental)
Order Amending Prior Orders Affecting)
Drilling Unit T-36 Located in the Garden)
Districe, Buchanan County, VA)
(herein "Subject Drilling Unit") to Provide:)
(1) Calculation of Funds Unit Operator)
Deposited into the Escrow Account for)
Subject Drilling Unit by Tract Subaccounts;)
(2) to Applicants a Royalty Accounting; and)
(3) Disbursement to Applicants in)
accordance with their ownership interests)
Those Funds Deposited by the Unit Operator)
into Subject Drilling Unit's Escrow)
Subaccount for VGOB Tracts 2A and 2G.)

DOCKET NO.
98-0324-0625-04

REPORT OF THE BOARD

FINDINGS AND ORDER

1. **Hearing Date and Place:** This matter came on for final hearing before the Virginia Gas and Oil Board (herein "Board") at 9:00 a.m. on ~~October 18~~ May 16, 2006 at the Southwest Virginia Higher Education Center on the campus of Virginia Highlands Community College, Abingdon, VA.

2. **Appearances:** Mark Swartz, Esq. appeared for the Unit Operator; and Sharon M.B. Pigeon, Assistant Attorney General, was present to advise the Board.
3. **Jurisdiction and Notice:** Pursuant to Va. Code §§ 45.1-361.1 *et seq.*, and in particular Va. Code §§ 45.1-361.21 and 45.1-361.22, the Board finds that it has jurisdiction over the establishment and maintenance of an escrow account, with tract subaccounts, for each of the coalbed methane gas drilling units established by the Board through its field rules that are subject to a Board pooling order. Further, the Unit Operator is required to deposit, as applicable, those funds specified in Va. Code § 45.1-361.21.D., 45.1-361.22.A.2, 45.1-361.22.A.3 and 45.1-361.22.A.4 into the applicable escrow tract subaccounts. The Board finds that: (1) while it does not have jurisdiction to resolve conflicting claims to the ownership of the Coalbed Methane Gas produced by the Unit Operator from wells located on Subject Drilling Unit, and (2) while it does not have jurisdiction to interpret agreements by and between the Gas owners/claimants and/or the Unit Operators or to abridge or contravene the provisions of such agreements, (3) pursuant to Va. Code § 45.1-361.22.A.5, the Board does have jurisdiction and authority to disburse funds from the Escrow Account provided the Board has been provided with a final decision of a court of competent jurisdiction adjudicating the ownership of coalbed methane gas as between the conflicting claimants or an agreement among all claimants owning conflicting estates in the tract in question or any undivided interest therein.
4. **Prior Proceedings:**
 - 4.1. On May 11, 1998, the Board executed its order pooling interests in the Subject Drilling Unit for the production of occluded natural gas produced from coalbeds and rock strata associated therewith (herein "Gas") in accordance with the provisions of Va. Code §§ 45.1-361.21 and 45.1-361.22 (herein "Pooling Order"). The Pooling Order was filed with the Clerk of the Circuit Court of Buchanan County on May 14, 1998 in Deed Book 476 at Page 154. On June 26, 1998, the Board executed its Supplemental Order Regarding Elections which was filed with the Clerk on July 14, 1998 in Deed Book 478 at page 668. On September 9, 1999, the Board approved re-pooling of the unit, the order for which was filed with the Clerk on September 16, 1999 in Book 496 at Page 538. On May 1, 2000, the Board executed a Supplemental Order Regarding Elections which was filed with the Clerk on May 3, 2000 in Deed Book 506 at page 715. On January 14, 2000, the Board approved further re-pooling of the unit, the order for which was filed with the Clerk on January 31, 2000 in Book 501 at Page 265. On May 1, 2000, the Board executed a Supplemental Order Regarding Elections which was filed with the Clerk on May 3, 2000 in Deed Book 506 at page 732. On January 20, 2004, the Board approved further re-pooling of the unit, the order for which was filed with the Clerk on April 2, 2004 in Book 589 at Page 577 (hereafter all orders are collectively referred to as the "Pooling Orders"). On June 17, 2003, The Board executed an order without docket number amending all prior pooling orders that named Buchanan Production Company, Pocahontas Gas Partnership, Island Creek Coal Company or Consol Energy, Inc. as unit operator, and designated CNX Gas Company, LLC as operator. In Buchanan County, the amendment order was recorded with the Buchanan County Clerk in Deed Book 585, Page 65.
 - 4.2 To the extent claims to the Gas were in conflict, pursuant to Va. Code § 45.1-361-22 payments attributable to said conflicting claims were ordered deposited by the Unit Operator into the escrow account established by the Pooling Order (herein "Escrow Account"). According to the Pooling Orders the coalbed methane claims of oil and gas fee owners Thomas Stilwell Heirs Subject to Split Agreement and coal fee owner Hurt McGuire Land Trust in a 32.30-acre tract known as VGOB Tract 2A, and the coalbed methane claims of oil and gas fee owners Albert Ball Heirs Subject to Split Agreement and coal fee owner Hurt McGuire Land Trust in a 9.64-acre tract known as VGOB Tract 2G in the Subject Drilling Unit were in conflict and became subject to the escrow requirements of the Pooling Order.
 - 4.3 The Unit Operator's Miscellaneous Petition regarding VGOB Tract 2A and 2G, a copy of which is attached to and made a part hereof, and testimony states under oath that Thomas

Stilwell Heirs Subject to Split Agreement and Hurt McGuire Land Trust have entered into a royalty split agreement; and that by the terms of that agreement escrow regarding the conflicting claims of said parties is no longer required. By sworn testimony before the Board on April 18, 2006, the Unit Operator testified that VGOB Tract 2A and the interests of Thomas Stilwell Heirs Subject to Split Agreement and Hurt McGuire Land Trust are subject to the split agreement. The Unit Operator's Miscellaneous Petition and testimony additionally states under oath that Albert Ball Heirs Subject to Split Agreement and Hurt McGuire Land Trust have entered into a royalty split agreement and that by the terms of that agreement escrow regarding the conflicting claims of said parties is no longer required. By sworn testimony before the Board on April 18, 2006, the Unit Operator testified that VGOB Tract 2A and the interests of Thomas Stilwell Heirs Subject to Split Agreement and Hurt McGuire Land Trust, and that VGOB Tract 2G and the interests of Albert Ball Heirs Subject to Split Agreement and Hurt McGuire Land Trust are subject to the split agreements. The Unit Operator's Miscellaneous Petition additionally requested disbursement of funds from Tracts 3B and 3C and the conflicting claims of certain Linkous Horne Heirs and Hurt McGuire Land Trust. The Board, on May 16, 2006, denied disbursement of funds attributable to Tracts 3B and 3C due to objections of respondents having interests in that tract.

- 4.4 Applicants gave notice to Thomas Stilwell Heirs Subject to Split Agreement, Albert Ball Heirs Subject to the Split Agreement and Hurt McGuire Land Trust that the Board would take the petition referred to in Paragraph 4.3 above under consideration and consider whether to: (1) amend the Pooling Order to provide for the disbursement of funds on deposit in the Escrow Account attributable to Tract 2A and the interests of Thomas Stilwell Heirs Subject to Split Agreement and Hurt McGuire Land Trust, and Tract 2G and the interests of Albert Ball Heirs Subject to Split Agreement and Hurt McGuire Land Trust (2) delete the requirement that the Unit Operator place future royalties attributable to Tract 2A and the interests of Thomas Stilwell Heirs Subject to Split Agreement and Hurt McGuire Land Trust in the Escrow Account, and Tract 2G and the interests of Albert Ball Heirs Subject to Split Agreement and Hurt McGuire Land Trust in the Escrow Account and (3) continue the escrow account under this docket number because parties other than those seeking disbursement under this order are subject to escrow.
- 4.5 The Unit Operator filed the attached accounting for Subject Drilling Unit's Escrow Account with the Board ("Accounting").

5. **Findings:**

- 5.1. Va. Code 45.1-361.22.5 provides:

The Board shall order payment of principal and accrued interests, less escrow account fees, from the escrow account to conflicting claimants within thirty days of receipt of notification of (i) a final decision of a court of competent jurisdiction adjudicating the ownership of coalbed methane gas as between them or (ii) an agreement among all claimants owning conflicting estates in the tract in question or any undivided interest therein. The amount to be paid to the conflicting claimants shall be determined based on the percentage of ownership interest of the conflicting claimants as shown in the operator's supplemental filing made part of the pooling order that established the escrow account, the operator's records of deposits attributable to those tracts for which funds are being requested, and the records of the escrow account for the coalbed methane gas drilling unit. The interests of any cotenants who have not entered into an agreement shall remain in the escrow account.

- 5.2 Applicant has certified and represented to the Board that:

- (1) Thomas Stilwell Heirs Subject to Split Agreement are fee owners of a portion of the oil and gas rights in Tract 2A, and Hurt McGuire Land Trust is fee owner of coal rights in Tract 2A of the Subject Unit.

- (2) Thomas Stilwell Heirs Subject to Split Agreement and Hurt McGuire Land Trust have entered into a royalty split agreement specifying that escrowed funds are to be divided with 50% going to the gas owner and 50% going to the coal owner, and also specifying that future royalties be paid directly to the owners according to the split agreement.
- (3) Albert Ball Heirs Subject to Split Agreement are fee owners of a portion of the oil and gas rights in Tract 2G, and Hurt McGuire Land Trust is fee owner of coal rights in Tract 2G of the Subject Unit.
- (4) Albert Ball Heirs Subject to Split Agreement and Hurt McGuire Land Trust have entered into a royalty split agreement specifying that escrowed funds are to be divided with 50% going to the gas owner and 50% going to the coal owner, and also specifying that future royalties be paid directly to the owners according to the split agreement.
- (5) Net interests attributable and to be disbursed to Applicants are shown in Table 1, Below.

TABLE 1			
Owners	Tract #	Net Acres	% interest in 98-0324-0625 sub-account
Hurt McGuire Land Trust (50%) C/O Charles Green, P. O. Box 1067, Bluefield, VA 24605	2A	32.30	15.1185%
Thomas Stilwell Heirs Subject to Split Agreement (50%) (Individually)	2A	32.30	
Beulah Osborne HC 62 Box 109, Raven, VA 24639			2.6167%
Martha J. Stilwell HC 62 Box 95, Raven, VA 24639			2.6167%
Virginia N. Stilwell HC 62 Box 97, Raven, VA 24639			2.6167%
Nancy Jackson P. O. Box 448, Doran, VA 24612			0.2181%
Darlene Ward 117 Franklin Ave., Richlands, VA 24641			0.2181%
Maxie Boyd P. O. Box 972, Raven, VA 24639			0.4361%
Ruth Osborne Smith P. O. Box 672, Doran, VA 24612			0.4361%
Judy Blankenship Box 221, Doran, VA 24612			0.4361%
John Osborne Box 6, Shortt Gap, VA 24647			0.4361%
Ida Proffitt Box 6, Shortt Gap, VA 24647			0.4361%
Hubbard Osborne HC 62 Box 89, Raven, VA 24639			0.2907%
Arlin W. Osborne P. O. Box 446, Raven, VA 24639			0.2907%
Jackie D. Osborne Rt. 1 Box 209, Raven, VA 24639			0.2907%
Marvin J. Osborne P. O. Box 537, Richlands, VA 24641			0.2907%
Leonard C. Stilwell P. O. Box 932, Raven, VA 24639			0.2907%
Connie Stilwell P. O. Box 1035, Raven, VA 24639			0.2907%
Wanda Hagy P. O. Box 1738, Richlands, VA 24641			0.2907%
Bessie Lowe P. O. Box 47, Shortt Gap, VA 24647			0.2907%
Bernadine R. Lisburg 1418 First Avenue South, Fargo, ND 58102			0.8722%

Gladys E. Pollert 1121 29 th Street NW, Fargo, ND 58102				0.2907%
David W. Stilwell 244 Texas St. Apt. #214, Rapid City, SD 57701				0.2907%
Thomas H. Stilwell 27 Horseshoe Bend, Fargo, ND 58104				0.2907%
Daniel J. Stilwell 100 Third St. NW No. D77, Mandan, ND 58554				0.2907%
Bernice R. Lamb 2225 Second Ave. West, International Falls, MN 56649				0.2907%
Hurt McGuire Land Trust (50%) C/O Charles Green, P. O. Box 1067, Bluefield, VA 24605	2G	9.64		6.2476%
Albert Ball Heirs Subject to Split Agreement (50%) (Individually)	2G	9.64		
Myrtle Ball 122 Fox Hill, Raven, VA 24639				1.0413%
Bobby Ball 120 Flamingo Rd., Raven, VA 24639				0.5206%
Tommy Ball 120 Flamingo Rd., Raven VA 24639				0.5206%
Melissa Lawson P. O. Box 155, Raven VA 24639				0.3471%
Steve Ball Route 1 Box 970, Pounding Mill, VA 24637				0.3471%
Danny Ball 2488 Road Ridge Turnpike, Raven, VA 24639				0.3471%
Wilma Hale P. O. Box 477, Doran, VA 24612				0.3124%
Elsie Mutter Rt. 2 Box 10170, Cedar Bluff, VA 24609				0.3124%
Peggy Shook P. O. Box 520, Doran, VA 24612				0.3124%
Linda Johnson P. O. Box 36, Doran, VA 24612				0.3124%
Teresa Church P. O. Box 8, Doran, VA 24612				0.1041%
Sandra Vance P. O. Box 2017 Cedar Bluff, VA 24609				0.1041%
Bailey Whited P. O. Box 1862, Richlands, VA 24641				0.1041%
D. Faye Lowe 2706 Brown St., Richlands, VA 24641				0.5206%
Nell Shreve RT. 3 Box 778, Bluefield, VA 24701				0.5206%
Nancy Young 923 Camelot Dr. Apt. #53, Salem, VA 24153-5654				0.5206%

6. **Relief Granted:**

For the reasons set forth in Paragraph 4 and 5 above, and based upon the Accounting, the Escrow Agent is ordered to, within 10 days of receipt of this executed order, disburse funds attributable to VGOB Tract 2A and the interests of Thomas Stilwell Heirs Subject to Split Agreement, individually, and Hurt McGuire Land Trust, and VGOB Tract 2G and the interests of Albert Ball Heirs Subject to Split Agreement, individually, and Hurt McGuire Land Trust according to percentages shown in Table 1, above, and mail each recipients payment to the address shown in Table I, above.

Exhibit E to the Pooling Orders, showing owners subject to escrow, is deleted in toto and replaced with the Exhibit E attached to this order. Further, the Supplemental Order filed in this cause is hereby modified to delete the requirement that payments attributable to the conflicting coalbed methane gas ownership interests of Thomas Stilwell Heirs Subject to Split Agreement and Hurt McGuire Land Trust in VGOB Tract 2A and the conflicting coalbed methane gas ownership interests of Albert Ball Heirs Subject to Split Agreement and Hurt McGuire Land Trust in VGOB Tract 2G be deposited by the Unit Operator into the Escrow Account, and, because there are other owners subject to escrow

under the Supplemental Order, the Escrow Agent is directed to continue the Escrow Account for Subject Drilling Unit. To the extent not specifically granted herein, any other or further relief is denied.

7. **Conclusion:**

Therefore, the requested relief and all terms and provisions set forth above in Paragraph 6 above be and hereby are granted and IT IS SO ORDERED.

8. **Appeals:**


Appeals of this Order are governed by the provisions of Va. Code § 45.1-361.9 which provides that any order or decision of the Board may be appealed to the appropriate circuit court and that whenever a coal owner, coal operator, gas owner, gas operator, or operator of a gas storage field certificated by the State Corporation Commission is a party in such action, the court shall hear such appeal de novo.

9. **Effective Date:** This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 19th day of September, 2006, by a majority of the Virginia Gas and Oil Board.

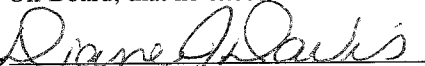

Chairman, Benny R. Wampler

DONE AND PERFORMED this 19th day of September, 2006, by an Order of this Board.


B. R. Wilson
Principal Executive to the Staff
Virginia Gas and Oil Board

COMMONWEALTH OF VIRGINIA)
COUNTY OF ~~WISE~~)

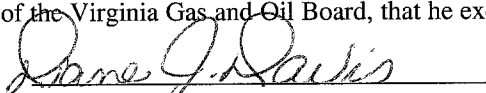
Washington
Acknowledged on this 19th day of September, 2006, personally before me a notary public in and for the Commonwealth of Virginia, appeared Benny R. Wampler, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.


Susan G. Garrett
Notary Public

My Commission expires: 9/30/09

COMMONWEALTH OF VIRGINIA)
COUNTY OF WASHINGTON)

Acknowledged on this 19th day of September, 2006, personally before me a notary public in and for the Commonwealth of Virginia, appeared B. R. Wilson, being duly sworn did depose and say that he is Principal Executive to the Staff of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.


Diane J. Davis
Notary Public

My commission expires: 9/30/09

BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: CNX Gas Company LLC

DIVISION OF GAS AND OIL
DOCKET NO: VGOB 98-0324-0625-04

RELIEF SOUGHT: (1) DISBURSEMENT FROM
ESCROW REGARDING a portion of TRACT(S) 2A, 2G, 3B&C
(2) AND AUTHORIZATION FOR DIRECT
PAYMENT OF ROYALTIES

HEARING DATE: April 18, 2006

DRILLING UNIT: T-36

BUCHANAN COUNTY, VIRGINIA

MISCELLANEOUS PETITION

1. **Petitioner and its counsel:** Petitioner is CNX Gas Company LLC, P. O. Box 947, Bluefield, Virginia 24605, 276/988-1000. Petitioner's counsel is Mark A. Swartz, **SWARTZ LAW OFFICES, PLLC.**, P.O. Box 517, Abingdon, VA 24212.

2. **Relief sought:** (1) the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent(s) attributable to a portion of Tract(s) 2A, 2G, 3B&C as depicted upon the annexed Exhibit A; and (2) authorization to begin paying royalties directly to the parties to the royalty split between Hurt McGuire Land Trust and certain individuals of the Thomas Stilwell heirship property; Hurt McGuire Land Trust and certain individuals of the Albert Ball heirship property; Hurt McGuire Land Trust and certain individuals of the Linkous Horn heirship property (see attached Exhibit A for details).

3. **Legal Authority:** Va. Code Ann. § 45.1-361.1 et seq., 4 VAC 25-160-140., and relevant Virginia Gas and Oil Board Orders ("Board") heretofore promulgated pursuant to law.

4. **Type of well(s):** Coalbed methane.

5. **Factual basis for relief requested:** Hurt McGuire Land Trust and certain individuals of the Thomas Stilwell heirship property; Hurt McGuire Land Trust and certain individuals of the Albert Ball heirship property; Hurt McGuire Land Trust and certain individuals of the Linkous Horn heirship property (see attached Exhibit A for details) have entered into royalty split agreement(s). Said royalty split agreement allows the Applicant and Designated Operator to pay royalties directly to the persons identified in Exhibit EE annexed hereto and the annexed Exhibit A, further, specifies how said royalties are to be divided and paid.

6. **Attestation:** The foregoing Petition to the best of my knowledge, information, and belief is true and correct.

CNX GAS COMPANY LLC
BY IT'S PROFESSIONAL MANAGER
CNX GAS COMPANY LLC, PETITIONER

By: 

Leslie K. Arrington
Manager – Environmental / Permitting
CNX Gas Company LLC
P.O. Box 947
Bluefield, Virginia 24605
276/988-1000

Exhibit A
Tract-by-Tract Escrow Calculation
Account Balances as of 2/28/06

Unit T-36
VGOB 98-0324-0625-04
Acres Escrowed: 77.15

Owners	Tract #	Acres	Total Tract Percent of Escrow	Fractional Interest	Owners' Percent of Escrow (50%)	Amount Due Owners \$397,890.10
Hurt McGuire Land Trust	2a	32.30	41.8665%		20.9332%	\$83,291.32
Thomas Stilwell Heirs					20.9332%	\$83,291.32
Beulah V. Osborne				1/8	2.6167%	\$10,411.41
Martha J. Stilwell				1/8	2.6167%	\$10,411.41
Virginia N. Stilwell				1/8	2.6167%	\$10,411.41
Nancy Jackson				1/96	0.2181%	\$867.62
Darlene Ward				1/96	0.2181%	\$867.62
Maxie Boyd				1/48	0.4361%	\$1,735.24
Ruth Osborne Smith				1/48	0.4361%	\$1,735.24
Judy Blankenship				1/48	0.4361%	\$1,735.24
John Osborne				1/48	0.4361%	\$1,735.24
Ida Proffitt				1/48	0.4361%	\$1,735.24
Hubbard Osborne				1/72	0.2907%	\$1,156.82
Arlin W. Osborne				1/72	0.2907%	\$1,156.82
Jackie D. Osborne				1/72	0.2907%	\$1,156.82
Marvin J. Osborne				1/72	0.2907%	\$1,156.82
Leonard C. Stilwell				1/72	0.2907%	\$1,156.82
Connie Stilwell (Jay)				1/72	0.2907%	\$1,156.82
Wanda Hagy				1/72	0.2907%	\$1,156.82
Bessie Lowe				1/72	0.2907%	\$1,156.82
Bernadine R. Lisburg				1/24	0.8722%	\$3,470.47
Gladys E. Pollert				1/72	0.2907%	\$1,156.82
David W. Stilwell				1/72	0.2907%	\$1,156.82
Thomas H. Stilwell				1/72	0.2907%	\$1,156.82
Daniel J. Stilwell				1/72	0.2907%	\$1,156.82
Bernice R. Lamb				1/72	0.2907%	\$1,156.82
Hurt McGuire Land Trust	2g	9.64	12.4951%	---	6.2476%	\$24,858.46
Albert Ball Heirs					6.2476%	\$24,858.46
Myrtle Ball (widow of Danny Ball)				1/6	1.0413%	\$4,143.08
Bobby Ball				1/12	0.5206%	\$2,071.54
Tommy Ball				1/12	0.5206%	\$2,071.54
Melissa Lawson				1/18	0.3471%	\$1,381.03
Steve Ball				1/18	0.3471%	\$1,381.03
Danny Ball				1/18	0.3471%	\$1,381.03
Wilma Hale				1/20	0.3124%	\$1,242.92
Elsie Mutter				1/20	0.3124%	\$1,242.92
Peggy Shook				1/20	0.3124%	\$1,242.92
Linda Johnson				1/20	0.3124%	\$1,242.92
Teresa Church				1/60	0.1041%	\$414.31
Sandra Vance				1/60	0.1041%	\$414.31
Bailey Whited				1/60	0.1041%	\$414.31
D. Faye Lowe				1/12	0.5206%	\$2,071.54
Nell Shreve				1/12	0.5206%	\$2,071.54
Nancy Young				1/12	0.5206%	\$2,071.54
Hurt McGuire Land Trust	3b&c	0.87	1.1277%	---	0.5638%	\$2,243.45
Linkous Horn Heirs					0.5638%	\$2,243.45

Information presented here is for reference use only, CNX is not responsible for determinations made using the data represented here.

This information is for estimation purposes only.

Exhibit E
Unit T-36
Docket # VGOB-98-0324-0625-04
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in 6-Right 5.74713%	7-Right 16.34981%
<u>Tract #2A. 32.30 acres</u>				
<u>COAL FEE OWNERSHIP</u>				
(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24805	32.30 acres	40.37500%	2.32040%	6.60124%
<u>OIL & GAS FEE OWNERSHIP</u>				
(1) Thomas Stilwell Heirs, Devisees, Successors or Assigns	32.30 acres	40.37500%	2.32040%	6.60124%
(a) Beulah V. Osborne HC 62, Box 109 Raven, VA 24639	4.0375 acres 1/8 of 32.30 acres	5.04688%	0.29005%	0.82515%
(b) Martha J. Stilwell HC 62, Box 95 Raven, VA 24639	4.0375 acres 1/8 of 32.30 acres	5.04688%	0.29005%	0.82515%
(c) Virginia N. Stilwell HC 62, Box 97 Raven, VA 24639	4.0375 acres 1/8 of 32.30 acres	5.04688%	0.29005%	0.82515%
(d) Arthur M. Stilwell P.O. Box 314 Raven, VA 24639	4.0375 acres 1/8 of 32.30 acres	5.04688%	0.29005%	0.82515%
(e) Exie Osborne Heirs, Devisees, Successors or Assigns				
(e.1) Myrtle Smith Heirs, Devisees, Successors or Assigns				
(e.1.1) Nancy Jackson P.O. Box 448 Doran, VA 24612	0.3365 acres 1/96 of 32.30 acres	0.42057%	0.02417%	0.06876%
(e.1.2) Darlene Ward 117 Franklin Avenue Richlands, VA 24641	0.3365 acres 1/96 of 32.30 acres	0.42057%	0.02417%	0.06876%
(e.2) Maxie Boyd P.O. Box 972 Raven, VA 24639	0.6729 acres 1/48 of 32.30 acres	0.84115%	0.04834%	0.13753%
(e.3) Ruth Osborne Smith P.O. Box 672 Doran, VA 24612	0.6729 acres 1/48 of 32.30 acres	0.84115%	0.04834%	0.13753%
(e.4) Judy Blankenship Box 221 Doran, VA 24612	0.6729 acres 1/48 of 32.30 acres	0.84115%	0.04834%	0.13753%

Exhibit E
Unit T-36
Docket # VGOB-98-0324-0625-04
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in 6-Right 5.74713%	7-Right 16.34981%
(e.5) John Osborne Box 6 Shortt Gap, VA 24647	0.6729 acres 1/48 of 32.30 acres	0.84115%	0.04834%	0.13753%
(e.6) Ida Proffitt Box 6 Shortt Gap, VA 24647	0.6729 acres 1/48 of 32.30 acres	0.84115%	0.04834%	0.13753%
(f) Hubbard Osborne HC 62, Box 89 Raven, VA 24639	0.4486 acres 1/72 of 32.30 acres	0.56076%	0.03223%	0.09168%
(g) Linda S. Shelton P. O. Box 521 Pounding Mill, VA 24637	0.4486 acres 1/72 of 32.30 acres	0.56076%	0.03223%	0.09168%
(h) Jerline Davis 118 Coronado Road North Tazewell, VA 24630	0.4486 acres 1/72 of 32.30 acres	0.56076%	0.03223%	0.09168%
(i) Arlin W. Osborne P. O. Box 446 Raven, VA 24639	0.4486 acres 1/72 of 32.30 acres	0.56076%	0.03223%	0.09168%
(j) Jackie D. Osborne Rt. 1, Box 209 Raven, VA 24639	0.4486 acres 1/72 of 32.30 acres	0.56076%	0.03223%	0.09168%
(k) Daniel J. Osborne 100 Third Street, SW No.D77 Mandan, ND 58554	0.4486 acres 1/72 of 32.30 acres	0.56076%	0.03223%	0.09168%
(l) Sylvia A. Shelton 549 Jacks Creek Road Raven, VA 24639	0.4486 acres 1/72 of 32.30 acres	0.56076%	0.03223%	0.09168%
(m) Marvin J. Osborne P. O. Box 537 Richlands, VA 24641	0.4486 acres 1/72 of 32.30 acres	0.56076%	0.03223%	0.09168%
(n) Lois Casey P. O. Box 521 Pounding Mill, VA 24637	0.4486 acres 1/72 of 32.30 acres	0.56076%	0.03223%	0.09168%
(o) Cora Arnold Heirs, Devisees, Successors or Assigns				
(o.1) James H. Arnold, widower P. O. Box 626 Raven, VA 24637	1.3458 acres 1/24 of 32.30 acres	1.68229%	0.09668%	0.27505%
(o) Leonard C. Stilwell P. O. Box 932 Raven, VA 24639	0.4486 acres 1/72 of 32.30 acres	0.56076%	0.03223%	0.09168%
(p) Jay C. Stilwell Heirs, Devisees, Successors or Assigns				

Exhibit E
Unit T-36
Docket # VGOB-98-0324-0625-04
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in 6-Right 5.74713%	7-Right 16.34981%
(p.1) Connie Stilwell, widow P. O. Box 1035 Raven, VA 24639	0.4486 acres 1/72 of 32.30 acres	0.56076%	0.03223%	0.09168%
(q) Wanda Hagy P. O. Box 1738 Richlands, VA 24641	0.4486 acres 1/72 of 32.30 acres	0.56076%	0.03223%	0.09168%
(r) Bessie Lowe P. O. Box 47 Shortt Gap, VA 24647	0.4486 acres 1/72 of 32.30 acres	0.56076%	0.03223%	0.09168%
(s) Theodore Stilwell HC66 Box 112A Whitewood, VA 24657	0.4486 acres 1/72 of 32.30 acres	0.56076%	0.03223%	0.09168%
(t) Curtis Stilwell P.O. Box 908 Pounding Mill, VA 24637	0.4486 acres 1/72 of 32.30 acres	0.56076%	0.03223%	0.09168%
(u) Bernadine R. Lisburg 1418 First Avenue South Fargo, ND 58103	1.3458 acres 1/24 of 32.30 acres	1.68229%	0.09668%	0.27505%
(v) Gladys E. Pollert 1121 29 Street NW Fargo, ND 58102	0.4486 acres 1/72 of 32.30 acres	0.56076%	0.03223%	0.09168%
(w) David W. Stilwell 244 Texas Street, Apt #214 Rapid City, SD 57701	0.4486 acres 1/72 of 32.30 acres	0.56076%	0.03223%	0.09168%
(x) Thomas H. Stilwell 27 Horseshoe Bend Fargo, ND 58104	0.4486 acres 1/72 of 32.30 acres	0.56076%	0.03223%	0.09168%
(y) Quentin A. Stilwell P. O. Box 154 Rhame, ND 58651	0.4486 acres 1/72 of 32.30 acres	0.56076%	0.03223%	0.09168%
(z) Daniel J. Stilwell 100 Third Street SW No.D77 Mandan, ND 58554	0.4486 acres 1/72 of 32.30 acres	0.56076%	0.03223%	0.09168%
(aa) Bernice R. Lamb 2225 Second Avenue West International Falls, MN 56649	0.4486 acres 1/72 of 32.30 acres	0.56076%	0.03223%	0.09168%

Tract #2B. 1.25 acres

COAL FEE OWNERSHIP

(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	1.25 acres	1.56250%	0.08980%	0.25547%
--	------------	----------	----------	----------

Exhibit E
Unit T-36
Docket # VGOB-98-0324-0625-04
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in	
			6-Right 5.74713%	7-Right 16.34981%
<u>OIL & GAS FEE OWNERSHIP</u>				
(1) Walter Underwood HC 62, Box 105 Raven, VA 24639	1.25 acres	1.56250%	0.08980%	0.25547%
<u>Tract #2C, 12.07 acres</u>				
<u>COAL FEE OWNERSHIP</u>				
(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	12.07 acres	15.08750%	0.86710%	2.46678%
<u>OIL & GAS FEE OWNERSHIP</u>				
(1) Joe Nipper HC 62, Box 103A Raven, VA 24639	12.07 acres	15.08750%	0.86710%	2.46678%
<u>Tract #2D, 2.21 acres</u>				
<u>COAL FEE OWNERSHIP</u>				
(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	2.21 acres	2.76250%	0.15876%	0.45166%
<u>OIL & GAS FEE OWNERSHIP</u>				
(1) Donald Nipper P. O. Box 655 Raven, VA 24639	2.21 acres	2.76250%	0.15876%	0.45166%
<u>Tract #2E, 0.29 acres</u>				
<u>COAL FEE OWNERSHIP</u>				
(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	0.29 acres	0.36250%	0.02083%	0.05927%
<u>OIL & GAS FEE OWNERSHIP</u>				
(1) Osborne Mountain Pentecostal Church c/o Luther Bowman, Pastor HC 62, Box 174 Raven, VA 24639	0.29 acres	0.36250%	0.02083%	0.05927%

Exhibit E
Unit T-36
Docket # VGOB-98-0324-0625-04
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in	
			6-Right 5.74713%	7-Right 16.34981%
<u>Tract #2F. 5.65 acres</u>				
<u>COAL FEE OWNERSHIP</u>				
(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	5.65 acres	7.06250%	0.40589%	1.15471%
<u>OIL & GAS FEE OWNERSHIP</u>				
(1) Mitchell Counts, et al.	5.65 acres	7.0625%	0.40589%	1.15471%
(a) Mitchell Counts P. O. Box 57 Shortt Gap, VA 24647	2.83 acres 1/2 of 5.65 acres	3.5313%	0.20295%	0.57735%
(b) Sandra Counts c/o Patrick Counts 311 Clinch Avenue Raven, VA 24639	2.83 acres 1/2 of 5.65 acres	3.5313%	0.20295%	0.57735%
<u>Tract #2G. 9.64 acres</u>				
<u>COAL FEE OWNERSHIP</u>				
(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	9.64 acres	12.05000%	0.69253%	1.97015%
<u>OIL & GAS FEE OWNERSHIP</u>				
(1) Albert Ball Heirs, Devisees, Successors or Assigns	9.64 acres	12.0500%	0.69253%	1.97015%
(a) Donald E. Ball Heirs, Devisees, Successors or Assigns				
(a.1) Myrtle Ball, widow 122 Fox Hill Raven, VA 24639	1.607 acres 1/6 of 9.64 acres	2.0083%	0.11542%	0.32836%
(b) Lawrence E. Ball Heirs, Devisees, Successors or Assigns				
(b.1) Bobby Ball 120 Flamingo Road Raven, VA 24639	0.803 acres 1/12 of 9.64 acres	1.0042%	0.05771%	0.16418%
(b.2) Tommy Ball 120 Flamingo Road Raven, VA 24639	0.803 acres 1/12 of 9.64 acres	1.0042%	0.05771%	0.16418%
(c) James Ball Heirs, Devisees, Successors or Assigns				

Exhibit E
Unit T-36
Docket # VGOB-98-0324-0625-04
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in 6-Right 5.74713%	7-Right 16.34981%
(c.1) Melissa R. Lawson P. O. Box 155 Raven, VA 24639	0.536 acres 1/18 of 9.64 acres	0.6694%	0.03847%	0.10945%
(c.2) Steve R. Ball Rt. 1, Box 970 Pounding Mill, VA 24637	0.536 acres 1/18 of 9.64 acres	0.6694%	0.03847%	0.10945%
(c.3) Danny R. Ball 3488 Road Ridge Turnpike Raven, VA 24639	0.536 acres 1/18 of 9.64 acres	0.6694%	0.03847%	0.10945%
(d) A. E. Shreve Heirs, Devisees, Successors or Assigns				
(d.1) Wilma R. Hale P. O. Box 477 Doran, VA 24612	0.482 acres 1/20 of 9.64 acres	0.6025%	0.03463%	0.09851%
(d.2) Elsie Mutter Rt.2 Box 10170 Cedar Bluff, VA 24609	0.482 acres 1/20 of 9.64 acres	0.6025%	0.03463%	0.09851%
(d.3) Peggy E. Shook P.O. Box 520 Doran, VA 24612	0.482 acres 1/20 of 9.64 acres	0.6025%	0.03463%	0.09851%
(d.4) Linda Johnson P.O. Box 36 Doran, VA 24612	0.482 acres 1/20 of 9.64 acres	0.6025%	0.03463%	0.09851%
(d.5) Naomi L. Keen Heirs, Devisees, Successors or Assigns				
(d.5.1) Teresa Church P.O. Box 8 Doran, VA 24612	0.161 acres 1/60 of 9.64 acres	0.2008%	0.01154%	0.03284%
(d.5.2) Sandra S. Vance P.O. Box 2017 Cedar Bluff, VA 24609	0.161 acres 1/60 of 9.64 acres	0.2008%	0.01154%	0.03284%
(d.5.3) Bailey E. Whited P.O. Box 1862 Richlands, VA 24614	0.161 acres 1/60 of 9.64 acres	0.2008%	0.01154%	0.03284%
(e) D. Faye Lowe 2706 Brown Street Richlands, VA 24641	0.803 acres 1/12 of 9.64 acres	1.0042%	0.05771%	0.16418%
(f) Nell L. Shreve Rt. 3, Box 778 Bluefield, VA 24701	0.803 acres 1/12 of 9.64 acres	1.0042%	0.05771%	0.16418%
(g) Nancy Young 923 Camelot Drive, Apt #53 Salem, VA 24153-5654	0.803 acres 1/12 of 9.64 acres	1.0042%	0.05771%	0.16418%

Exhibit E
Unit T-36
Docket # VGOB-98-0324-0625-04
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in 6-Right 5.74713%	7-Right 16.34981%
<u>Tract #2H, 0.33 acres</u>				
<u>COAL FEE OWNERSHIP</u>				
(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	0.33 acres	0.41250%	0.02371%	0.06744%
<u>OIL & GAS FEE OWNERSHIP</u>				
(1) Rodney D. Taylor, et ux. P.O. Box 706 Oakwood, VA 24631	0.33 acres	0.4125%	0.02371%	0.06744%
<u>Tract #3A, 9.48 acres</u>				
<u>Escrow due to title conflict / Surface Claimant</u>				
<u>COAL FEE OWNERSHIP</u>				
(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	9.48 acres	11.85000%	0.68103%	1.93745%
<u>OIL & GAS FEE OWNERSHIP</u>				
Linkous Horn Heirs, Devisees, Successors or Assigns	9.48 acres	11.8500%	0.68103%	1.93745%
(1) Arizona Osborne Heirs, Devisees, Successors or Assigns				
(a) Sydney Smith 1911 McVetty Road Salem, VA 24153	0.3160 acres 1/30 of 9.48 acres	0.3950%	0.02270%	0.06458%
(b) Kenneth R. Osborne 848 Peyton Street Roanoke, VA 24019	0.3160 acres 1/30 of 9.48 acres	0.3950%	0.02270%	0.06458%
(c) Martha Williams 1911 McVetty Road Salem, VA 24153	0.3160 acres 1/30 of 9.48 acres	0.3950%	0.02270%	0.06458%
(2) Lydia Bell Blankenship Heirs, Devisees, Successors or Assigns				
(a) Noah & Mary Jane Keen Rt. 1, Box 154 Raven, VA 24639	0.0862 acres 1/110 of 9.48 acres	0.1077%	0.00619%	0.01761%
(b) Shirley Keen Rt.1 Box 159R Raven, VA 24639	0.0862 acres 1/110 of 9.48 acres	0.1077%	0.00619%	0.01761%

Exhibit E
Unit T-36
Docket # VGOB-98-0324-0625-04
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in	
			6-Right 5.74713%	7-Right 16.34981%
(c) Patsy & Clyde Moore Rt. 1, Box 138 Raven, VA 24639	0.0862 acres 1/110 of 9.48 acres	0.1077%	0.00619%	0.01761%
(d) Brenda Sue & Eddie Justice P. O. Box 627 Keen Mountain, VA 24624	0.0862 acres 1/110 of 9.48 acres	0.1077%	0.00619%	0.01761%
(e) James R. Osborne P. O. Box 484 Keen Mountain, VA 24624	0.0862 acres 1/110 of 9.48 acres	0.1077%	0.00619%	0.01761%
(f) Clifford Osborne Heirs, Devisees, Successors or Assigns				
(f.1) Phyllis W. Osborne Rt.1 Box 157E Raven, VA 24639	0.0862 acres 1/110 of 9.48 acres	0.1077%	0.00619%	0.01761%
(g) Ronnie & Sherry Osborne P. O. Box 12 Oakwood, VA 24631	0.0862 acres 1/110 of 9.48 acres	0.1077%	0.00619%	0.01761%
(h) Charles M. Osborne 216 Plantation Drive Richlands, VA 24641	0.0862 acres 1/110 of 9.48 acres	0.1077%	0.00619%	0.01761%
(i) Richard & Debbie Osborne P. O. Box 541 Keen Mountain, VA 24624	0.0862 acres 1/110 of 9.48 acres	0.1077%	0.00619%	0.01761%
(j) William Osborne Heirs, Devisees, Successors or Assigns				
(j.1) Ruth Keen				
				<i>(Deed of Gift to Joyce Lineberry 3/16/03)</i>
(j.1.1) Joyce Lineberry 110 Barn View Lane Woodleaf, NC 27054	0.0862 acres 1/110 of 9.48 acres	0.1077%	0.00619%	0.01761%
(k) John David Osborne Heirs, Devisees, Successors or Assigns				
(k.1) Darlene B. Osborne Rt.1 Box 157 Raven, VA 24639	0.0862 acres 1/110 of 9.48 acres	0.1077%	0.00619%	0.01761%
(3) Henry Horn Heirs, Devisees, Successors or Assigns				
(a) Perry W. Horn P.O. Box 33 Raven, VA 24639	0.3160 acres 1/30 of 9.48 acres	0.3950%	0.02270%	0.06458%
(b) Larry M. Horn Heirs, Devisees, Successors or Assigns Heirs / Address Unknown	0.3160 acres 1/30 of 9.48 acres	0.3950%	0.02270%	0.06458%

Exhibit E
Unit T-36
Docket # VGOB-98-0324-0625-04
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in	
			6-Right 5.74713%	7-Right 16.34981%
(c) Ivory Horn Heirs, Devisees, Successors or Assigns				
(c.1) Patricia D. Horton P.O. Box 65 Raven, VA 24639	0.0527 acres 1/180 of 9.48 acres	0.0658%	0.00378%	0.01076%
(c.2) Nellie A. Maynard P.O. Box 296 Raven, VA 24639	0.0527 acres 1/180 of 9.48 acres	0.0658%	0.00378%	0.01076%
(c.3) Tammy D. Boyd 195 Taylor Circle Raven, VA 24639	0.0527 acres 1/180 of 9.48 acres	0.0658%	0.00378%	0.01076%
(c.4) Margaret E. Dye 784 Big Creek Road Richlands, VA 24641	0.0527 acres 1/180 of 9.48 acres	0.0658%	0.00378%	0.01076%
(c.5) Danny W. Elder P.O. Box 296 Raven, VA 24639	0.0527 acres 1/180 of 9.48 acres	0.0658%	0.00378%	0.01076%
(c.6) Robert G. Elder P.O. Box 65 Raven, VA 24639	0.0527 acres 1/180 of 9.48 acres	0.0658%	0.00378%	0.01076%
(4) Thelma H. Osborne P. O. Box 33 Raven, VA 24639	0.9480 acres 1/10 of 9.48 acres	1.1850%	0.06810%	0.19375%
(5) Joseph P. Horn P. O. Box 775 Raven, VA 24639	0.9480 acres 1/10 of 9.48 acres	1.1850%	0.06810%	0.19375%
(6) Nancy Ann Horn Stilwell Rt. 4, Box 722 North Tazewell, VA 24630	0.9480 acres 1/10 of 9.48 acres	1.1850%	0.06810%	0.19375%
(7) Earnest Horn Heirs, Devisees, Successors or Assigns				
(a) Dorothy Horn 305 Bane Bottom Avenue Cedar Bluff, VA 24609	0.9480 acres 1/10 of 9.48 acres	1.1850%	0.06810%	0.19375%
(8) Martha Smith P. O. Box 395 Max Meadows, VA 24360	0.9480 acres 1/10 of 9.48 acres	1.1850%	0.06810%	0.19375%
(9) Sarah Horn Day P. O. Box 208 Peterstown, WV 24963	0.9480 acres 1/10 of 9.48 acres	1.1850%	0.06810%	0.19375%
(10) Carl Horn Heirs, Devisees, Successors or Assigns				

Exhibit E
Unit T-36
Docket # VGOB-98-0324-0625-04
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in 6-Right 5.74713%	7-Right 16.34981%
(a) Marilyn Taylor RR1 Box 1445 Pounding Mill, VA 24637	0.9480 acres 1/10 of 9.48 acres	1.1850%	0.06810%	0.19375%
<u>OIL & GAS CLAIMANT (Surface Owner)</u>				
(1) Danny McClanahan P. O. Box 547 Oakwood, VA 24631	9.48 acres	11.85000%	0.68103%	1.93745%
<u>Tract #3A1, 1.03 acres</u>				
<u>Escrow due to title conflict / Surface Claimant</u>				
<u>COAL FEE OWNERSHIP</u>				
(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	1.03 acres	1.28750%	0.07399%	0.21050%
<u>OIL & GAS FEE OWNERSHIP</u>				
Linkous Horn Heirs, Devisees, Successors or Assigns	1.03 acres	1.28750%	0.07399%	0.21050%
(1) Arizona Osborne Heirs, Devisees, Successors or Assigns ✓				
(a) Sydney Smith 1911 McVetty Road ✓ Salem, VA 24153	0.0343 acres 1/30 of 1.03 acres	0.0429%	0.00247%	0.00702%
(b) Kenneth R. Osborne ✓ 848 Peyton Street Roanoke, VA 24019	0.0343 acres 1/30 of 1.03 acres	0.0429%	0.00247%	0.00702%
(c) Martha Guilliams ✓ 1911 McVetty Road Salem, VA 24153	0.0343 acres 1/30 of 1.03 acres	0.0429%	0.00247%	0.00702%
(2) Lydia Bell Blankenship Heirs, Devisees, Successors or Assigns ✓				
(a) Noah & Mary Jane Keen ✓ Rt. 1, Box 154 Raven, VA 24639	0.0094 acres 1/110 of 1.03 acres	0.0117%	0.00067%	0.00191%
(b) Shirley Keen ✓ Rt. 1 Box 159R ✓ Raven, VA 24639	0.0094 acres 1/110 of 1.03 acres	0.0117%	0.00067%	0.00191%
(c) Patsy & Clyde Moore ✓ Rt. 1, Box 138 ✓ Raven, VA 24639	0.0094 acres 1/110 of 1.03 acres	0.0117%	0.00067%	0.00191%

Exhibit E
Unit T-36
Docket # VGOB-98-0324-0625-04
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in	
			6-Right 5.74713%	7-Right 16.34981%
(d) Brenda Sue & Eddie Justice ✓ P. O. Box 627 Keen Mountain, VA 24624	0.0094 acres 1/110 of 1.03 acres	0.0117%	0.00067%	0.00191%
(e) James R. Osborne ✓ P. O. Box 484 Keen Mountain, VA 24624	0.0094 acres 1/110 of 1.03 acres	0.0117%	0.00067%	0.00191%
(f) Clifford Osborne Heirs, Devises, Successors or Assigns				
(f.1) Phyllis W. Osborne ✓ Rt.1 Box 157E Raven, VA 24639	0.0094 acres 1/110 of 1.03 acres	0.0117%	0.00067%	0.00191%
(g) Ronnie & Sherry Osborne ✓ P. O. Box 12 Oakwood, VA 24631	0.0094 acres 1/110 of 1.03 acres	0.0117%	0.00067%	0.00191%
(h) Charles M. Osborne ✓ 216 Plantation Drive Richlands, VA 24641	0.0094 acres 1/110 of 1.03 acres	0.0117%	0.00067%	0.00191%
(i) Richard & Debbie Osborne ✓ P. O. Box 541 Keen Mountain, VA 24624	0.0094 acres 1/110 of 1.03 acres	0.0117%	0.00067%	0.00191%
(j) William Osborne Heirs, Devises, Successors or Assigns ✓				
(j.1) Ruth Keen ✓				
			<i>(Deed of Gift to Joyce Lineberry 3/16/03)</i>	
(j.1.1) Joyce Lineberry ✓ 110 Barn View Lane Woodleaf, NC 27054	0.0094 acres 1/110 of 1.03 acres	0.0117%	0.00067%	0.00191%
(k) John David Osborne Heirs, Devises, Successors or Assigns ✓				
(k.1) Darlene B. Osborne ✓ Rt.1 Box 157 Raven, VA 24639	0.0094 acres 1/110 of 1.03 acres	0.0117%	0.00067%	0.00191%
(3) Henry Horn Heirs, Devises, Successors or Assigns ✓				
(a) Perry W. Horn ✓ P.O. Box 33 Raven, VA 24639	0.0343 acres 1/30 of 1.03 acres	0.0429%	0.00247%	0.00702%
(b) Larry M. Horn Heirs, Devises, Successors or Assigns Heirs / Address Unknown	0.0343 acres 1/30 of 1.03 acres	0.0429%	0.00247%	0.00702%
(c) Ivory Horn Heirs, Devises, Successors or Assigns				

Exhibit E
Unit T-36
Docket # VGOB-98-0324-0625-04
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in	
			6-Right 5.74713%	7-Right 16.34981%
(c.1) Patricia D. Horton ✓ P.O. Box 65 Raven, VA 24639	0.0057 acres 1/180 of 1.03 acres	0.0072%	0.00041%	0.00117%
(c.2) Nellie A. Maynard ✓ P.O. Box 296 Raven, VA 24639	0.0057 acres 1/180 of 1.03 acres	0.0072%	0.00041%	0.00117%
(c.3) Tammy D. Boyd ✓ 195 Taylor Circle Raven, VA 24639	0.0057 acres 1/180 of 1.03 acres	0.0072%	0.00041%	0.00117%
(c.4) Margaret E. Dye ✓ 784 Big Creek Road Richlands, VA 24641	0.0057 acres 1/180 of 1.03 acres	0.0072%	0.00041%	0.00117%
(c.5) Danny W. Elder ✓ P.O. Box 296 Raven, VA 24639	0.0057 acres 1/180 of 1.03 acres	0.0072%	0.00041%	0.00117%
(c.6) Robert G. Elder ✓ P.O. Box 65 Raven, VA 24639	0.0057 acres 1/180 of 1.03 acres	0.0072%	0.00041%	0.00117%
(4) Thelma H. Osborne ✓ P. O. Box 33 Raven, VA 24639	0.1030 acres 1/10 of 1.03 acres	0.1288%	0.00740%	0.02105%
(5) Joseph P. Horn ✓ P. O. Box 775 Raven, VA 24639	0.1030 acres 1/10 of 1.03 acres	0.1288%	0.00740%	0.02105%
(6) Nancy Ann Horn Stilwell ✓ Rt. 4, Box 722 North Tazewell, VA 24630	0.1030 acres 1/10 of 1.03 acres	0.1288%	0.00740%	0.02105%
(7) Earnest Horn Heirs, Devisees, Successors or Assigns ✓				
(a) Dorothy Horn ✓ 305 Bane Bottom Avenue Cedar Bluff, VA 24609	0.1030 acres 1/10 of 1.03 acres	0.1288%	0.00740%	0.02105%
(8) Martha Smith ✓ P. O. Box 395 Max Meadows, VA 24360	0.1030 acres 1/10 of 1.03 acres	0.1288%	0.00740%	0.02105%
(9) Sarah Horn Day ✓ P. O. Box 208 Peterstown, WV 24963	0.1030 acres 1/10 of 1.03 acres	0.1288%	0.00740%	0.02105%
(10) Carl Horn Heirs, Devisees, ✓ Successors or Assigns				
(a) Marilyn Taylor ✓ RR1 Box 1445 Pounding Mill, VA 24637	0.1030 acres 1/10 of 1.03 acres	0.1288%	0.00740%	0.02105%

- OR -

Exhibit E
Unit T-36
Docket # VGOB-98-0324-0625-04
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in	
			6-Right 5.74713%	7-Right 16.34981%
(2) Thomas Stilwell Heirs, Devisees, Successors or Assigns ✓	1.03 acres	1.28750%	0.07399%	0.21050%
(a) Beulah V. Osborne ✓ HC 62, Box 109 Raven, VA 24639	0.1288 acres 1/8 of 1.03 acres	0.16094%	0.00925%	0.02631%
(b) Martha J. Stilwell ✓ HC 62, Box 95 Raven, VA 24639	0.1288 acres 1/8 of 1.03 acres	0.16094%	0.00925%	0.02631%
(c) Virginia N. Stilwell ✓ HC 62, Box 97 Raven, VA 24639	0.1288 acres 1/8 of 1.03 acres	0.16094%	0.00925%	0.02631%
(d) Arthur M. Stilwell ✓ P.O. Box 314 Raven, VA 24639	0.1288 acres 1/8 of 1.03 acres	0.16094%	0.00925%	0.02631%
(e) Exie Osborne Heirs, Devisees, Successors or Assigns ✓				
(e.1) Myrtle Smith Heirs, Devisees, Successors or Assigns ✓				
(e.1.1) Nancy Jackson ✓ P.O. Box 448 Doran, VA 24612	0.0107 acres 1/96 of 1.03 acres	0.01341%	0.00077%	0.00219%
(e.1.2) Darlene Ward ✓ 117 Franklin Avenue Richlands, VA 24641	0.0107 acres 1/96 of 1.03 acres	0.01341%	0.00077%	0.00219%
(e.2) Maxie Boyd ✓ P.O. Box 972 Raven, VA 24639	0.0215 acres 1/48 of 1.03 acres	0.02682%	0.00154%	0.00439%
(e.3) Ruth Osborne Smith ✓ P.O. Box 672 Doran, VA 24612	0.0215 acres 1/48 of 1.03 acres	0.02682%	0.00154%	0.00439%
(e.4) Judy Blankenship ✓ Box 221 Doran, VA 24612	0.0215 acres 1/48 of 1.03 acres	0.02682%	0.00154%	0.00439%
(e.5) John Osborne Box 6 Shortt Gap, VA 24647	0.0215 acres 1/48 of 1.03 acres	0.02682%	0.00154%	0.00439%
(e.6) Ida Proffitt ✓ Box 6 Shortt Gap, VA 24647	0.0215 acres 1/48 of 1.03 acres	0.02682%	0.00154%	0.00439%
(f) Hubbard Osborne ✓ HC 62, Box 89 Raven, VA 24639	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%

Exhibit E
Unit T-36
Docket # VGOB-98-0324-0625-04
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in	
			6-Right	7-Right
			5.74713%	16.34981%
(g) Linda S. Shelton ✓ P. O. Box 521 Pounding Mill, VA 24637	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(h) Jerline Davis ✓ 118 Coronado Road North Tazewell, VA 24630	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(i) Arlin W. Osborne ✓ P. O. Box 446 Raven, VA 24639	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(j) Jackie D. Osborne ✓ Rt. 1, Box 209 Raven, VA 24639	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(k) Daniel J. Osborne ✓ 100 Third Street, SW No.D77 Mandan, ND 58554	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(l) Sylvia A. Shelton ✓ 549 Jacks Creek Road Raven, VA 24639	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(m) Marvin J. Osborne ✓ P. O. Box 537 Richlands, VA 24641	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(n) Lois Casey ✓ P. O. Box 521 Pounding Mill, VA 24637	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(o) Cora Arnold Heirs, Devisees, / Successors or Assigns				
(o.1) James H. Arnold, widower ✓ P. O. Box 626 Raven, VA 24637	0.0429 acres 1/24 of 1.03 acres	0.05365%	0.00308%	0.00877%
(o) Leonard C. Stilwell ✓ P. O. Box 932 Raven, VA 24639	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(p) Jay C. Stilwell Heirs, Devisees, / Successors or Assigns				
(p.1) Connie Stilwell, widow ✓ P. O. Box 1035 Raven, VA 24639 ✓	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(q) Wanda Hagy ✓ P. O. Box 1738 Richlands, VA 24641	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(r) Bessie Lowe ✓ P. O. Box 47 Shortt Gap, VA 24647	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%

Exhibit E
Unit T-36
Docket # VGOB-98-0324-0625-04
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in	
			6-Right 5.74713%	7-Right 16.34981%
(s) Theodore Stilwell ✓ HC66 Box 112A Whitewood, VA 24657	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(t) Curtis Stilwell ✓ P.O. Box 908 Pounding Mill, VA 24637	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(u) Bernadine R. Lisburg ✓ 1418 First Avenue South Fargo, ND 58103	0.0429 acres 1/24 of 1.03 acres	0.05365%	0.00308%	0.00877%
(v) Gladys E. Pollert ✓ 1121 29 Street NW Fargo, ND 58102	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(w) David W. Stilwell ✓ 244 Texas Street, Apt #214 Rapid City, SD 57701	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(x) Thomas H. Stilwell ✓ 27 Horseshoe Bend Fargo, ND 58104	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(y) Quentin A. Stilwell ✓ P. O. Box 154 Rhome, ND 58651 ✓	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(z) Daniel J. Stilwell 100 Third Street SW No.D77 Mandan, ND 58554	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(aa) Bernice R. Lamb ✓ 2225 Second Avenue West International Falls, MN 56649	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
<u>OIL & GAS CLAIMANT (Surface Owner)</u>				
(1) Danny McClanahan ✓ P. O. Box 547 Oakwood, VA 24631	1.03 acres	1.28750%	0.07399%	0.21050%

Tract #3A2, 2.03 acres

Escrow due to title conflict / Surface Claimant

COAL FEE OWNERSHIP

(1) Hurt McGuire Land Trust ✓ c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	2.03 acres	2.53750%	0.14583%	0.41488%
--	------------	----------	----------	----------

OIL & GAS FEE OWNERSHIP

(1) Linkous Horn Heirs, Devisees, ✓ Successors or Assigns	2.03 acres	2.53750%	0.14583%	0.41488%
--	------------	----------	----------	----------

Exhibit E
Unit T-36
Docket # VGOB-98-0324-0625-04
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in	
			6-Right 5.74713%	7-Right 16.34981%
(1) Arizona Osborne Heirs, Devisees, Successors or Assigns ✓				
(a) Sydney Smith ✓ 1911 McVetty Road Salem, VA 24153	0.0677 acres 1/30 of 2.03 acres	0.0846%	0.00486%	0.01383%
(b) Kenneth R. Osborne ✓ 848 Peyton Street Roanoke, VA 24019	0.0677 acres 1/30 of 2.03 acres	0.0846%	0.00486%	0.01383%
(c) Martha Guiliams ✓ 1911 McVetty Road Salem, VA 24153	0.0677 acres 1/30 of 2.03 acres	0.0846%	0.00486%	0.01383%
(2) Lydia Bell Blankenship Heirs, Devisees, Successors or Assigns ✓				
(a) Noah & Mary Jane Keen ✓ Rt. 1, Box 154 Raven, VA 24639	0.0185 acres 1/110 of 2.03 acres	0.0231%	0.00133%	0.00377%
(b) Shirley Keen ✓ Rt.1 Box 159R Raven, VA 24639	0.0185 acres 1/110 of 2.03 acres	0.0231%	0.00133%	0.00377%
(c) Patsy & Clyde Moore ✓ Rt. 1, Box 138 Raven, VA 24639	0.0185 acres 1/110 of 2.03 acres	0.0231%	0.00133%	0.00377%
(d) Brenda Sue & Eddie Justice ✓ P. O. Box 627 Keen Mountain, VA 24624	0.0185 acres 1/110 of 2.03 acres	0.0231%	0.00133%	0.00377%
(e) James R. Osborne ✓ P. O. Box 484 Keen Mountain, VA 24624	0.0185 acres 1/110 of 2.03 acres	0.0231%	0.00133%	0.00377%
(f) Clifford Osborne Heirs, Devisees, Successors or Assigns ✓				
(f.1) Phyllis W. Osborne ✓ Rt.1 Box 157E Raven, VA 24639	0.0185 acres 1/110 of 2.03 acres	0.0231%	0.00133%	0.00377%
(g) Ronnie & Sherry Osborne ✓ P. O. Box 12 Oakwood, VA 24631	0.0185 acres 1/110 of 2.03 acres	0.0231%	0.00133%	0.00377%
(h) Charles M. Osborne ✓ 216 Plantation Drive Richlands, VA 24641	0.0185 acres 1/110 of 2.03 acres	0.0231%	0.00133%	0.00377%
(i) Richard & Debbie Osborne ✓ P. O. Box 541 Keen Mountain, VA 24624	0.0185 acres 1/110 of 2.03 acres	0.0231%	0.00133%	0.00377%
(j) William Osborne Heirs, Devisees, Successors or Assigns ✓				

Exhibit E
Unit T-36
Docket # VGOB-98-0324-0625-04
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in 6-Right 5.74713%	7-Right 16.34981%
(j.1) Ruth Keen ✓	(Deed of Gift to Joyce Lineberry 3/16/03)			
(j.1.1) Joyce Lineberry ✓ 110 Barn View Lane Woodleaf, NC 27054	0.0185 acres 1/110 of 2.03 acres	0.0231%	0.00133%	0.00377%
(k) John David Osborne Heirs, Devisees, ✓ Successors or Assigns				
(k.1) Darlene B. Osborne ✓ Rt.1 Box 157 Raven, VA 24639	0.0185 acres 1/110 of 2.03 acres	0.0231%	0.00133%	0.00377%
(3) Henry Horn Heirs, Devisees, ✓ Successors or Assigns				
(a) Perry W. Horn ✓ P.O. Box 33 Raven, VA 24639	0.0677 acres 1/30 of 2.03 acres	0.0846%	0.00486%	0.01383%
(b) Larry M. Horn Heirs, Devisees, ✓ Successors or Assigns Heirs / Address Unknown	0.0677 acres 1/30 of 2.03 acres	0.0846%	0.00486%	0.01383%
(c) Ivory Horn Heirs, Devisees, ✓ Successors or Assigns				
(c.1) Patricia D. Horton ✓ P.O. Box 65 Raven, VA 24639	0.0113 acres 1/180 of 2.03 acres	0.0141%	0.00081%	0.00230%
(c.2) Nellie A. Maynard ✓ P.O. Box 296 Raven, VA 24639	0.0113 acres 1/180 of 2.03 acres	0.0141%	0.00081%	0.00230%
(c.3) Tammy D. Boyd/ 195 Taylor Circle Raven, VA 24639	0.0113 acres 1/180 of 2.03 acres	0.0141%	0.00081%	0.00230%
(c.4) Margaret E. Dye ✓ 784 Big Creek Road Richlands, VA 24641	0.0113 acres 1/180 of 2.03 acres	0.0141%	0.00081%	0.00230%
(c.5) Danny W. Elder ✓ P.O. Box 296 Raven, VA 24639	0.0113 acres 1/180 of 2.03 acres	0.0141%	0.00081%	0.00230%
(c.6) Robert G. Elder ✓ P.O. Box 65 Raven, VA 24639	0.0113 acres 1/180 of 2.03 acres	0.0141%	0.00081%	0.00230%
(4) Thelma H. Osborne ✓ P. O. Box 33 Raven, VA 24639	0.2030 acres 1/10 of 2.03 acres	0.2538%	0.01458%	0.04149%
(5) Joseph P. Horn ✓ P. O. Box 775 Raven, VA 24639	0.2030 acres 1/10 of 2.03 acres	0.2538%	0.01458%	0.04149%

Exhibit E
Unit T-36
Docket # VGOB-98-0324-0625-04
List of Conflicting Owners/Claimants that require escrow

			Division of Interest in	
			6-Right	7-Right
			5.74713%	16.34981%
	Acres in Unit	Percent of Unit		
(6) Nancy Ann Horn Stilwell ✓ Rt. 4, Box 722 North Tazewell, VA 24630	0.2030 acres 1/10 of 2.03 acres	0.2538%	0.01458%	0.04149%
(7) Earnest Horn Heirs, Devisees, ✓ Successors or Assigns				
(a) Dorothy Horn ✓ 305 Bane Bottom Avenue Cedar Bluff, VA 24609	0.2030 acres 1/10 of 2.03 acres	0.2538%	0.01458%	0.04149%
(8) Martha Smith ✓ P. O. Box 395 Max Meadows, VA 24360	0.2030 acres 1/10 of 2.03 acres	0.2538%	0.01458%	0.04149%
(9) Sarah Horn Day ✓ P. O. Box 208 Peterstown, WV 24963	0.2030 acres 1/10 of 2.03 acres	0.2538%	0.01458%	0.04149%
(10) Carl Horn Heirs, Devisees, ✓ Successors or Assigns				
(a) Marilyn Taylor ✓ RR1 Box 1445 Pounding Mill, VA 24637	0.2030 acres 1/10 of 2.03 acres	0.2538%	0.01458%	0.04149%
- OR -				
(2) Thomas Stilwell Heirs, Devisees, ✓ Successors or Assigns	2.03 acres	2.53750%	0.14583%	0.41488%
(a) Beulah V. Osborne ✓ HC 62, Box 109 Raven, VA 24639	0.2538 acres 1/8 of 2.03 acres	0.31719%	0.01823%	0.05186%
(b) Martha J. Stilwell ✓ HC 62, Box 95 Raven, VA 24639	0.2538 acres 1/8 of 2.03 acres	0.31719%	0.01823%	0.05186%
(c) Virginia N. Stilwell ✓ HC 62, Box 97 Raven, VA 24639	0.2538 acres 1/8 of 2.03 acres	0.31719%	0.01823%	0.05186%
(d) Arthur M. Stilwell ✓ P.O. Box 314 Raven, VA 24639	0.2538 acres 1/8 of 2.03 acres	0.31719%	0.01823%	0.05186%
(e) Exie Osborne Heirs, Devisees, ✓ Successors or Assigns				
(e.1) Myrtle Smith Heirs, Devisees, ✓ Successors or Assigns				
(e.1.1) Nancy Jackson ✓ P.O. Box 448 Doran, VA 24612	0.0211 acres 1/96 of 2.03 acres	0.02643%	0.00152%	0.00432%

Exhibit E
Unit T-36
Docket # VGOB-98-0324-0625-04
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in	
			6-Right 5.74713%	7-Right 16.34981%
(e.1.2) Darlene Ward ✓ 117 Franklin Avenue Richlands, VA 24641	0.0211 acres 1/96 of 2.03 acres	0.02643%	0.00152%	0.00432%
(e.2) Maxie Boyd ✓ P.O. Box 972 Raven, VA 24639	0.0423 acres 1/48 of 2.03 acres	0.05286%	0.00304%	0.00864%
(e.3) Ruth Osborne Smith ✓ P.O. Box 672 Doran, VA 24612	0.0423 acres 1/48 of 2.03 acres	0.05286%	0.00304%	0.00864%
(e.4) Judy Blankenship ✓ Box 221 Doran, VA 24612	0.0423 acres 1/48 of 2.03 acres	0.05286%	0.00304%	0.00864%
(e.5) John Osborne ✓ Box 6 Shortt Gap, VA 24647	0.0423 acres 1/48 of 2.03 acres	0.05286%	0.00304%	0.00864%
(e.6) Ida Proffitt ✓ Box 6 Shortt Gap, VA 24647	0.0423 acres 1/48 of 2.03 acres	0.05286%	0.00304%	0.00864%
(f) Hubbard Osborne ✓ HC 62, Box 89 Raven, VA 24639	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(g) Linda S. Shelton ✓ P. O. Box 521 Pounding Mill, VA 24637	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(h) Jerline Davis ✓ 118 Coronado Road North Tazewell, VA 24630	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(i) Arlin W. Osborne ✓ P. O. Box 446 Raven, VA 24639	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(j) Jackie D. Osborne ✓ Rt. 1, Box 209 Raven, VA 24639	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(k) Daniel J. Osborne ✓ 100 Third Street, SW No.D77 Mandan, ND 58554	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(l) Sylvia A. Shelton ✓ 549 Jacks Creek Road Raven, VA 24639	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(m) Marvin J. Osborne ✓ P. O. Box 537 Richlands, VA 24641	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(n) Lois Casey ✓ P. O. Box 521 Pounding Mill, VA 24637	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%

Exhibit E
Unit T-36
Docket # VGOB-98-0324-0625-04
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in	
			6-Right	7-Right
			5.74713%	16.34981%
<hr/>				
(o) Cora Arnold Heirs, Devises, ✓ Successors or Assigns				
(o.1) James H. Arnold, widower ✓ P. O. Box 626 Raven, VA 24637	0.0846 acres 1/24 of 2.03 acres	0.10573%	0.00608%	0.01729%
(o) Leonard C. Stilwell ✓ P. O. Box 932 Raven, VA 24639	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(p) Jay C. Stilwell Heirs, Devises, ✓ Successors or Assigns				
(p.1) Connie Stilwell, widow ✓ P. O. Box 1035 Raven, VA 24639	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(q) Wanda Hagy ✓ P. O. Box 1738 Richlands, VA 24641	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(r) Bessie Lowe ✓ P. O. Box 47 Shortt Gap, VA 24647	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(s) Theodore Stilwell ✓ HC66 Box 112A Whitewood, VA 24657	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(t) Curtis Stilwell ✓ P.O. Box 908 Pounding Mill, VA 24637	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(u) Bernadine R. Lisburg ✓ 1418 First Avenue South Fargo, ND 58103	0.0846 acres 1/24 of 2.03 acres	0.10573%	0.00608%	0.01729%
(v) Gladys E. Pollert ✓ 1121 29 Street NW Fargo, ND 58102	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(w) David W. Stilwell ✓ 244 Texas Street, Apt #214 Rapid City, SD 57701	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(x) Thomas H. Stilwell ✓ 27 Horseshoe Bend Fargo, ND 58104	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(y) Quentin A. Stilwell ✓ P. O. Box 154 Rhame, ND 58651	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(z) Daniel J. Stilwell ✓ 100 Third Street SW No.D77 Mandan, ND 58554	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%

Exhibit E
Unit T-36
Docket # VGOB-98-0324-0625-04
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in	
			6-Right 5.74713%	7-Right 16.34981%
(aa) Bernice R. Lamb ✓ 2225 Second Avenue West International Falls, MN 56649	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
<u>OIL & GAS CLAIMANT (Surface Owner)</u>				
(1) Danny McClanahan ✓ P. O. Box 547 Oakwood, VA 24631	2.03 acres	2.53750%	0.14583%	0.41488%
<u>Tract #3B & 3C. 0.87 acres</u>				
<u>COAL FEE OWNERSHIP</u>				
(1) Hurt McGuire Land Trust ✓ c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	0.87 acres	1.08750%	0.06250%	0.17780%
<u>OIL & GAS FEE OWNERSHIP</u>				
Linkous Horn Heirs, Devisees, ✓ Successors or Assigns	0.87 acres	1.08750%	0.06250%	0.17780%
(1) Arizona Osborne Heirs, Devisees, ✓ Successors or Assigns				
(a) Sydney Smith ✓ 1911 McVetty Road Salem, VA 24153	0.0290 acres 1/30 of 0.87 acres	0.0363%	0.00208%	0.00593%
(b) Kenneth R. Osborne ✓ 848 Peyton Street Roanoke, VA 24019	0.0290 acres 1/30 of 0.87 acres	0.0363%	0.00208%	0.00593%
(c) Martha Guilliams ✓ 1911 McVetty Road Salem, VA 24153	0.0290 acres 1/30 of 0.87 acres	0.0363%	0.00208%	0.00593%
(2) Lydia Bell Blankenship Heirs, Devisees, ✓ Successors or Assigns				
(a) Noah & Mary Jane Keen ✓ Rt. 1, Box 154 Raven, VA 24639	0.0079 acres 1/110 of 0.87 acres	0.0099%	0.00057%	0.00162%
(b) Shirley Keen ✓ Rt. 1 Box 159R Raven, VA 24639	0.0079 acres 1/110 of 0.87 acres	0.0099%	0.00057%	0.00162%
(c) Patsy & Clyde Moore ✓ Rt. 1, Box 138 Raven, VA 24639	0.0079 acres 1/110 of 0.87 acres	0.0099%	0.00057%	0.00162%
(d) Brenda Sue & Eddie Justice P. O. Box 627 Keen Mountain, VA 24624	0.0079 acres 1/110 of 0.87 acres	0.0099%	0.00057%	0.00162%

Exhibit E
Unit T-36
Docket # VGOB-98-0324-0625-04
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in 6-Right 5.74713%	7-Right 16.34981%
(e) James R. Osborne ✓ P. O. Box 484 Keen Mountain, VA 24624	0.0079 acres 1/110 of 0.87 acres	0.0099%	0.00057%	0.00162%
(f) Clifford Osborne Heirs, Devisees, Successors or Assigns ✓				
(f.1) Phyllis W. Osborne ✓ Rt.1 Box 157E Raven, VA 24639	0.0079 acres 1/110 of 0.87 acres	0.0099%	0.00057%	0.00162%
(g) Ronnie & Sherry Osborne ✓ P. O. Box 12 Oakwood, VA 24631	0.0079 acres 1/110 of 0.87 acres	0.0099%	0.00057%	0.00162%
(h) Charles M. Osborne ✓ 216 Plantation Drive Richlands, VA 24641	0.0079 acres 1/110 of 0.87 acres	0.0099%	0.00057%	0.00162%
(i) Richard & Debbie Osborne ✓ P. O. Box 541 Keen Mountain, VA 24624	0.0079 acres 1/110 of 0.87 acres	0.0099%	0.00057%	0.00162%
(j) William Osborne Heirs, Devisees, Successors or Assigns ✓				
(j.1) Ruth Keen	(Deed of Gift to Joyce Lineberry 3/16/03)			
(j.1.1) Joyce Lineberry 110 Barn View Lane Woodleaf, NC 27054	0.0079 acres 1/110 of 0.87 acres	0.0099%	0.00057%	0.00162%
(k) John David Osborne Heirs, Devisees, Successors or Assigns				
(k.1) Darlene B. Osborne Rt.1 Box 157 Raven, VA 24639	0.0079 acres 1/110 of 0.87 acres	0.0099%	0.00057%	0.00162%
(3) Henry Horn Heirs, Devisees, Successors or Assigns				
(a) Perry W. Horn P.O. Box 33 Raven, VA 24639	0.0290 acres 1/30 of 0.87 acres	0.0363%	0.00208%	0.00593%
(b) Larry M. Horn Heirs, Devisees, Successors or Assigns Heirs / Address Unknown	0.0290 acres 1/30 of 0.87 acres	0.0363%	0.00208%	0.00593%
(c) Ivory Horn Heirs, Devisees, Successors or Assigns				
(c.1) Patricia D. Horton P.O. Box 65 Raven, VA 24639	0.0048 acres 1/180 of 0.87 acres	0.0060%	0.00035%	0.00099%

Exhibit E
Unit T-36
Docket # VGOB-98-0324-0625-04
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in 6-Right 5.74713%	7-Right 16.34981%
(c.2) Nellie A. Maynard P.O. Box 296 Raven, VA 24639	0.0048 acres 1/180 of 0.87 acres	0.0060%	0.00035%	0.00099%
(c.3) Tammy D. Boyd 195 Taylor Circle Raven, VA 24639	0.0048 acres 1/180 of 0.87 acres	0.0060%	0.00035%	0.00099%
(c.4) Margaret E. Dye 784 Big Creek Road Richlands, VA 24641	0.0048 acres 1/180 of 0.87 acres	0.0060%	0.00035%	0.00099%
(c.5) Danny W. Elder P.O. Box 296 Raven, VA 24639	0.0048 acres 1/180 of 0.87 acres	0.0060%	0.00035%	0.00099%
(c.6) Robert G. Elder P.O. Box 65 Raven, VA 24639	0.0048 acres 1/180 of 0.87 acres	0.0060%	0.00035%	0.00099%
(4) Thelma H. Osborne P. O. Box 33 Raven, VA 24639	0.0870 acres 1/10 of 0.87 acres	0.1088%	0.00625%	0.01778%
(5) Joseph P. Horn P. O. Box 775 Raven, VA 24639	0.0870 acres 1/10 of 0.87 acres	0.1088%	0.00625%	0.01778%
(6) Nancy Ann Horn Stilwell Rt. 4, Box 722 North Tazewell, VA 24630	0.0870 acres 1/10 of 0.87 acres	0.1088%	0.00625%	0.01778%
(7) Earnest Horn Heirs, Devisees, Successors or Assigns				
(a) Dorothy Horn 305 Bane Bottom Avenue Cedar Bluff, VA 24609	0.0870 acres 1/10 of 0.87 acres	0.1088%	0.00625%	0.01778%
(8) Martha Smith P. O. Box 395 Max Meadows, VA 24360	0.0870 acres 1/10 of 0.87 acres	0.1088%	0.00625%	0.01778%
(9) Sarah Horn Day P. O. Box 208 Peterstown, WV 24963	0.0870 acres 1/10 of 0.87 acres	0.1088%	0.00625%	0.01778%
(10) Carl Horn Heirs, Devisees, Successors or Assigns				
(a) Marilyn Taylor RR1 Box 1445 Pounding Mill, VA 24637	0.0870 acres 1/10 of 0.87 acres	0.1088%	0.00625%	0.01778%

Exhibit EE
Unit T-36
Docket # VGOB-98-0324-0625-04
List of Conflicting Owners/Claimants with Royalty Split Agreements

	Acres in Unit	Percent of Unit	Division of Interest in		Percent of Escrow
			6-Right 5.74713%	7-Right 16.34981%	
<u>Tract #2A, 32.30 acres</u>					
77.15					
<u>COAL FEE OWNERSHIP</u>					
(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	32.30 acres	40.3750%	2.3204%	6.6012%	41.8665%
<u>OIL & GAS FEE OWNERSHIP</u>					
(1) Thomas Stilwell Heirs, Devisees, Successors or Assigns	32.30 acres	40.3750%	2.3204%	6.6012%	41.8665%
(a) Beulah V. Osborne HC 62, Box 109 Raven, VA 24639	4.0375 acres 1/8 of 32.30 acres	5.0469%	0.2901%	0.8252%	5.2333%
(b) Martha J. Stilwell HC 62, Box 95 Raven, VA 24639	4.0375 acres 1/8 of 32.30 acres	5.0469%	0.2901%	0.8252%	5.2333%
(c) Virginia N. Stilwell HC 62, Box 97 Raven, VA 24639	4.0375 acres 1/8 of 32.30 acres	5.0469%	0.2901%	0.8252%	5.2333%
(e) Exie Osborne Heirs, Devisees, Successors or Assigns					
(e.1) Myrtle Smith Heirs, Devisees, Successors or Assigns					
(e.1.1) Nancy Jackson P.O. Box 448 Doran, VA 24612	0.3365 acres 1/96 of 32.30 acres	0.4206%	0.0242%	0.0688%	0.4361%
(e.1.2) Darlene Ward 117 Franklin Avenue Richlands, VA 24641	0.3365 acres 1/96 of 32.30 acres	0.4206%	0.0242%	0.0688%	0.4361%
(e.2) Maxie Boyd P.O. Box 972 Raven, VA 24639	0.6729 acres 1/48 of 32.30 acres	0.8411%	0.0483%	0.1375%	0.8722%
(e.3) Ruth Osborne Smith P.O. Box 672 Doran, VA 24612	0.6729 acres 1/48 of 32.30 acres	0.8411%	0.0483%	0.1375%	0.8722%
(e.4) Judy Blankenship Box 221 Doran, VA 24612	0.6729 acres 1/48 of 32.30 acres	0.8411%	0.0483%	0.1375%	0.8722%
(e.5) John Osborne Box 6 Shortt Gap, VA 24647	0.6729 acres 1/48 of 32.30 acres	0.8411%	0.0483%	0.1375%	0.8722%
(e.6) Ida Proffitt Box 6 Shortt Gap, VA 24647	0.6729 acres 1/48 of 32.30 acres	0.8411%	0.0483%	0.1375%	0.8722%
(f) Hubbard Osborne HC 62, Box 89 Raven, VA 24639	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.0322%	0.0917%	0.5815%

Exhibit EE
Unit T-36
Docket # VGOB-98-0324-0625-04
List of Conflicting Owners/Claimants with Royalty Split Agreements

	Acres in Unit	Percent of Unit	Division of Interest in		Percent of Escrow
			6-Right 5.74713%	7-Right 16.34981%	
					77.15
(i) Arlin W. Osborne P. O. Box 446 Raven, VA 24639	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.0322%	0.0917%	0.5815%
(j) Jackie D. Osborne Rt. 1, Box 209 Raven, VA 24639	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.0322%	0.0917%	0.5815%
(m) Marvin J. Osborne P. O. Box 537 Richlands, VA 24641	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.0322%	0.0917%	0.5815%
(o) Leonard C. Stilwell P. O. Box 932 Raven, VA 24639	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.0322%	0.0917%	0.5815%
(p) Jay C. Stilwell Heirs, Devisees, Successors or Assigns					
(p.1) Connie Stilwell, widow P. O. Box 1035 Raven, VA 24639	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.0322%	0.0917%	0.5815%
(q) Wanda Hagy P. O. Box 1738 Richlands, VA 24641	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.0322%	0.0917%	0.5815%
(r) Bessie Lowe P. O. Box 47 Shortt Gap, VA 24647	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.0322%	0.0917%	0.5815%
(u) Bernadine R. Lisburg 1418 First Avenue South Fargo, ND 58103	1.3458 acres 1/24 of 32.30 acres	1.6823%	0.0967%	0.2751%	1.7444%
(v) Gladys E. Pollert 1121 29 Street NW Fargo, ND 58102	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.0322%	0.0917%	0.5815%
(w) David W. Stilwell 244 Texas Street, Apt #214 Rapid City, SD 57701	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.0322%	0.0917%	0.5815%
(x) Thomas H. Stilwell 27 Horseshoe Bend Fargo, ND 58104	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.0322%	0.0917%	0.5815%
(z) Daniel J. Stilwell 100 Third Street SW No.D77 Mandan, ND 58554	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.0322%	0.0917%	0.5815%
(aa) Bernice R. Lamb 2225 Second Avenue West International Falls, MN 56649	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.0322%	0.0917%	0.5815%

Tract #2G, 9.64 acres

COAL FEE OWNERSHIP

(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	9.64 acres	12.0500%	0.6925%	1.9702%	12.4951%
--	------------	----------	---------	---------	----------

Exhibit EE
Unit T-36
Docket # VGOB-98-0324-0625-04
List of Conflicting Owners/Claimants with Royalty Split Agreements

		Acres in Unit	Percent of Unit	Division of Interest in		Percent of Escrow
				6-Right 5.74713%	7-Right 16.34981%	
<u>OIL & GAS FEE OWNERSHIP</u>						
(1)	Albert Ball Heirs, Devisees, Successors or Assigns	9.64 acres	12.0500%	0.6925%	1.9702%	12.4951%
(a)	Donald E. Ball Heirs, Devisees, Successors or Assigns					
(a.1)	Myrtle Ball, widow 122 Fox Hill Raven, VA 24639	1.607 acres 1/6 of 9.64 acres	2.0083%	0.1154%	0.3284%	2.0825%
(b)	Lawrence E. Ball Heirs, Devisees, Successors or Assigns					
(b.1)	Bobby Ball 120 Flamingo Road Raven, VA 24639	0.803 acres 1/12 of 9.64 acres	1.0042%	0.0577%	0.1642%	1.0413%
(b.2)	Tommy Ball 120 Flamingo Road Raven, VA 24639	0.803 acres 1/12 of 9.64 acres	1.0042%	0.0577%	0.1642%	1.0413%
(c)	James Ball Heirs, Devisees, Successors or Assigns					
(c.1)	Melissa R. Lawson P. O. Box 155 Raven, VA 24639	0.536 acres 1/18 of 9.64 acres	0.6694%	0.0385%	0.1095%	0.6942%
(c.2)	Steve R. Ball Rt. 1, Box 970 Pounding Mill, VA 24637	0.536 acres 1/18 of 9.64 acres	0.6694%	0.0385%	0.1095%	0.6942%
(c.3)	Danny R. Ball 3488 Road Ridge Turnpike Raven, VA 24639	0.536 acres 1/18 of 9.64 acres	0.6694%	0.0385%	0.1095%	0.6942%
(d)	A. E. Shreve Heirs, Devisees, Successors or Assigns					
(d.1)	Wilma R. Hale P. O. Box 477 Doran, VA 24612	0.482 acres 1/20 of 9.64 acres	0.6025%	0.0346%	0.0985%	0.6248%
(d.2)	Elsie Mutter Rt.2 Box 10170 Cedar Bluff, VA 24609	0.482 acres 1/20 of 9.64 acres	0.6025%	0.0346%	0.0985%	0.6248%
(d.3)	Peggy E. Shook P.O. Box 520 Doran, VA 24612	0.482 acres 1/20 of 9.64 acres	0.6025%	0.0346%	0.0985%	0.6248%
(d.4)	Linda Johnson P.O. Box 36 Doran, VA 24612	0.482 acres 1/20 of 9.64 acres	0.6025%	0.0346%	0.0985%	0.6248%
(d.5)	Naomi L. Keen Heirs, Devisees, Successors or Assigns					
(d.5.1)	Teresa Church P.O. Box 8 Doran, VA 24612	0.161 acres 1/60 of 9.64 acres	0.2008%	0.0115%	0.0328%	0.2083%

Exhibit EE
Unit T-36
Docket # VGOB-98-0324-0625-04
List of Conflicting Owners/Claimants with Royalty Split Agreements

	Acres in Unit	Percent of Unit	Division of Interest in		Percent of Escrow
			6-Right 5.74713%	7-Right 16.34981%	
					77.15
(d.5.2) Sandra S. Vance P.O. Box 2017 Cedar Bluff, VA 24609	0.161 acres 1/60 of 9.64 acres	0.2008%	0.0115%	0.0328%	0.2083%
(d.5.3) Bailey E. Whited P.O. Box 1862 Richlands, VA 24614	0.161 acres 1/60 of 9.64 acres	0.2008%	0.0115%	0.0328%	0.2083%
(e) D. Faye Lowe 2706 Brown Street Richlands, VA 24641	0.803 acres 1/12 of 9.64 acres	1.0042%	0.0577%	0.1642%	1.0413%
(f) Nell L. Shreve Rt. 3, Box 778 Bluefield, VA 24701	0.803 acres 1/12 of 9.64 acres	1.0042%	0.0577%	0.1642%	1.0413%
(g) Nancy Young 923 Camelot Drive, Apt #53 Salem, VA 24153-5654	0.803 acres 1/12 of 9.64 acres	1.0042%	0.0577%	0.1642%	1.0413%

VIRGINIA: In the Clerk's Office of the Circuit Court of Buchanan County. The foregoing instrument was this day presented in the office aforesaid and is, together with the certificate of acknowledgment annexed, admitted to record this 26th day of September, 2006 1:48P M. The tax imposed by §587.1-802 of the Code has been paid in the amount of \$.
Deed Book No. and Page No. . TESTE: James M. Bevins, Jr., Clerk
Returned to: Dmme TESTE: Deputy S. J. Allen Deputy Clerk

BL
\$45

INSTRUMENT #060003143
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
SEPTEMBER 26, 2006 AT 01:48PM
JAMES M. BEVINS, CLERK
RECORDED BY: AKT

August 15, 2007

Samuel J. Breeding
P. O. Box 293
Grundy, VA 24614

Dear Mr. Breeding:

Attached is a W-9 which needs to be completed and returned to this office. This W-9 will be forwarded to Wachovia Bank, Escrow Agent for the Virginia Gas and Oil Board with our order for disbursement of funds which you are a part of.

In order for the Escrow Agent to issue the check, they require a W9 be on file with them. I am enclosing a self-addressed stamped envelope to facilitate the return of this form.

If you have questions, please call.

Sincerely,

Diane Davis
Program Support Tech. Sr.

Enc.

George P. Willis
Director



DIVISIONS
ENERGY
GAS AND OIL
MINED LAND RECLAMATION
MINERAL MINING
MINERAL RESOURCES
MINES
ADMINISTRATION

COMMONWEALTH of VIRGINIA

DEPARTMENT OF MINES, MINERALS AND ENERGY

Division of Gas and Oil

P.O. Box 1416

Abingdon, Virginia 24212-1416

Phone: (276) 676-5423

Fax: (276) 676-5459

August 13, 2007

Donald Nipper
P. O. Box 655
Raven, VA 24639

Dear Mr. Nipper:

Attached is a W-9 that needs to be completed and returned to this office. This W9 will be forwarded to Wachovia Bank, Escrow Agent for the Virginia Gas and Oil Board with our order for disbursement of funds that you are a part of.

In order for the Escrow Agent to issue the check, they require a W9 be on file with them. I am enclosing a self-addressed stamped envelope to facilitate the return of this form.

If you have questions, please call.

Sincerely,

Diane Davis
Program Support Tech. Sr.

Enc.

George P. Willis
Director



DIVISIONS
ENERGY
GAS AND OIL
MINED LAND RECLAMATION
MINERAL MINING
MINERAL RESOURCES
MINES
ADMINISTRATION

COMMONWEALTH of VIRGINIA

DEPARTMENT OF MINES, MINERALS AND ENERGY

Division of Gas and Oil

P.O. Box 1416

Abingdon, Virginia 24212-1416

Phone: (276) 676-5423

Fax: (276) 676-5459

August 13, 2007

Arthur Stilwell
P. O. Box 314
Raven, VA 24605

Dear Mr. Stilwell:

Attached is a W-9 that needs to be completed and returned to this office. This W9 will be forwarded to Wachovia Bank, Escrow Agent for the Virginia Gas and Oil Board with our order for disbursement of funds that you are a part of.

In order for the Escrow Agent to issue the check, they require a W9 be on file with them. I am enclosing a self-addressed stamped envelope to facilitate the return of this form.

If you have questions, please call.

Sincerely,

Diane Davis
Program Support Tech. Sr.

Enc.

BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: CNX Gas Company LLC

DIVISION OF GAS AND OIL
DOCKET NO: VGOB 98-0324-0625-04

RELIEF SOUGHT: (1) DISBURSEMENT FROM
ESCROW REGARDING a portion of TRACT(S) 2A, 2G, 3B&C
(2) AND AUTHORIZATION FOR DIRECT
PAYMENT OF ROYALTIES

HEARING DATE: April 18, 2006

DRILLING UNIT: T-36

BUCHANAN COUNTY, VIRGINIA

MISCELLANEOUS PETITION

1. **Petitioner and its counsel:** Petitioner is CNX Gas Company LLC, P. O. Box 947, Bluefield, Virginia 24605, 276/988-1000. Petitioner's counsel is Mark A. Swartz, **SWARTZ LAW OFFICES, PLLC.**, P.O. Box 517, Abingdon, VA 24212.

2. **Relief sought:** (1) the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent(s) attributable to a portion of Tract(s) 2A, 2G, 3B&C as depicted upon the annexed Exhibit A; and (2) authorization to begin paying royalties directly to the parties to the royalty split between Hurt McGuire Land Trust and certain individuals of the Thomas Stilwell heirship property; Hurt McGuire Land Trust and certain individuals of the Albert Ball heirship property; Hurt McGuire Land Trust and certain individuals of the Linkous Horn heirship property (see attached Exhibit A for details).

3. **Legal Authority:** Va. Code Ann. § 45.1-361.1 et seq., 4 VAC 25-160-140., and relevant Virginia Gas and Oil Board Orders ("Board") heretofore promulgated pursuant to law.

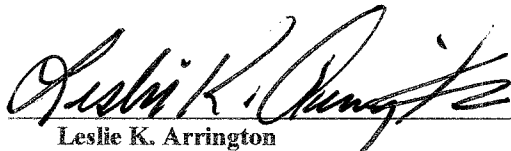
4. **Type of well(s):** Coalbed methane.

5. **Factual basis for relief requested:** Hurt McGuire Land Trust and certain individuals of the Thomas Stilwell heirship property; Hurt McGuire Land Trust and certain individuals of the Albert Ball heirship property; Hurt McGuire Land Trust and certain individuals of the Linkous Horn heirship property (see attached Exhibit A for details) have entered into royalty split agreement(s). Said royalty split agreement allows the Applicant and Designated Operator to pay royalties directly to the persons identified in Exhibit EE annexed hereto and the annexed Exhibit A, further, specifies how said royalties are to be divided and paid.

6. **Attestation:** The foregoing Petition to the best of my knowledge, information, and belief is true and correct.

CNX GAS COMPANY LLC
BY IT'S PROFESSIONAL MANAGER
CNX GAS COMPANY LLC, PETITIONER

By:



Leslie K. Arrington
Manager – Environmental / Permitting
CNX Gas Company LLC
P.O. Box 947
Bluefield, Virginia 24605
276/988-1000

Exhibit A
Tract-by-Tract Escrow Calculation
Account Balances as of 2/28/06

Unit T-36
VGOB 98-0324-0625-04
Acres Escrowed: 77.15

Owners	Tract #	Acres	Total Tract Percent of Escrow	Fractional Interest	Owners' Percent of Escrow (50%)	Amount Due Owners \$397,890.10
Hurt McGuire Land Trust	2a	32.30	41.8665%		20.9332%	\$83,291.32
Thomas Stilwell Heirs					20.9332%	\$83,291.32
Beulah V. Osborne				1/8	2.6167%	\$10,411.41
Martha J. Stilwell				1/8	2.6167%	\$10,411.41
Virginia N. Stilwell				1/8	2.6167%	\$10,411.41
Nancy Jackson				1/96	0.2181%	\$867.62
Darlene Ward				1/96	0.2181%	\$867.62
Maxie Boyd				1/48	0.4361%	\$1,735.24
Ruth Osborne Smith				1/48	0.4361%	\$1,735.24
Judy Blankenship				1/48	0.4361%	\$1,735.24
John Osborne				1/48	0.4361%	\$1,735.24
Ida Proffitt				1/48	0.4361%	\$1,735.24
Hubbard Osborne				1/72	0.2907%	\$1,156.82
Arlin W. Osborne				1/72	0.2907%	\$1,156.82
Jackie D. Osborne				1/72	0.2907%	\$1,156.82
Marvin J. Osborne				1/72	0.2907%	\$1,156.82
Leonard C. Stilwell				1/72	0.2907%	\$1,156.82
Connie Stilwell (Jay)				1/72	0.2907%	\$1,156.82
Wanda Hagy				1/72	0.2907%	\$1,156.82
Bessie Lowe				1/72	0.2907%	\$1,156.82
Bernadine R. Lisburg				1/24	0.8722%	\$3,470.47
Gladys E. Pollert				1/72	0.2907%	\$1,156.82
David W. Stilwell				1/72	0.2907%	\$1,156.82
Thomas H. Stilwell				1/72	0.2907%	\$1,156.82
Daniel J. Stilwell				1/72	0.2907%	\$1,156.82
Bernice R. Lamb				1/72	0.2907%	\$1,156.82
Hurt McGuire Land Trust	2g	9.64	12.4951%	---	6.2476%	\$24,858.46
Albert Ball Heirs					6.2476%	\$24,858.46
Myrtle Ball (widow of Danny Ball)				1/6	1.0413%	\$4,143.08
Bobby Ball				1/12	0.5206%	\$2,071.54
Tommy Ball				1/12	0.5206%	\$2,071.54
Melissa Lawson				1/18	0.3471%	\$1,381.03
Steve Ball				1/18	0.3471%	\$1,381.03
Danny Ball				1/18	0.3471%	\$1,381.03
Wilma Hale				1/20	0.3124%	\$1,242.92
Elsie Mutter				1/20	0.3124%	\$1,242.92
Peggy Shook				1/20	0.3124%	\$1,242.92
Linda Johnson				1/20	0.3124%	\$1,242.92
Teresa Church				1/60	0.1041%	\$414.31
Sandra Vance				1/60	0.1041%	\$414.31
Bailey Whited				1/60	0.1041%	\$414.31
D. Faye Lowe				1/12	0.5206%	\$2,071.54
Nell Shreve				1/12	0.5206%	\$2,071.54
Nancy Young				1/12	0.5206%	\$2,071.54
Hurt McGuire Land Trust	3b&c	0.87	1.1277%	---	0.5638%	\$2,243.45
Linkous Horn Heirs					0.5638%	\$2,243.45
Patsy & Clyde Moore				1/110	0.0051%	\$20.40
Brenda & Eddie Justice				1/110	0.0051%	\$20.40
James R. Osborne				1/110	0.0051%	\$20.40
Phyllis W. Osborne				1/110	0.0051%	\$20.40
Ronnie Osborne				1/110	0.0051%	\$20.40
Charles M. Osborne				1/110	0.0051%	\$20.40
Richard Osborne				1/110	0.0051%	\$20.40
Joyce Lineberry				1/110	0.0051%	\$20.40
Darlene Osborne				1/110	0.0051%	\$20.40

Information presented here is for reference use only, CNX is not responsible for determinations made using the data represented here.

This information is for estimation purposes only.

CERTIFICATION OF NOTICE
CNX Gas Company LLC

Unit T36
VGOB 98-0324-0625-03
Recorded Board Order

NAME		MAILED	RECEIPT #	RECEIVED
Counts	Mitchell	4/15/04	7003 2260 0007 0927 8793	04/21/04
Counts	Sandra	4/15/04	7003 2260 0007 0927 8809	04/16/04
Day	Sarah H.	4/15/04	7003 2260 0007 0927 8816	04/20/04
Guilliams	Martha	4/15/04	7003 2260 0007 0927 8823	04/17/04
Horn	Ivory J.	4/15/04	7003 2260 0007 0927 8830	Returned
Horn	Joe P.	4/15/04	7003 2260 0007 0927 8847	Unclaimed
Horn	Larry M.	4/15/04	7003 2260 0007 0927 8854	Unclaimed
Horn	Perry W.	4/15/04	7003 2260 0007 0927 8861	04/16/04
Justice	Brenda Sue & Eddie	4/15/04	7003 2260 0007 0927 8878	No Date
Keen	Noah & Mary	4/15/04	7003 2260 0007 0927 8885	04/16/04
Keen heirs	Ruth	4/15/04	7003 2260 0007 0927 8892	04/19/04
Keen	Shirley	4/15/04	7003 2260 0007 0927 8908	04/16/04
McClanahan	Danny	4/15/04	7003 2260 0007 0927 8915	Returned
Moore	Patsy & Clyde	4/15/04	7003 2260 0007 0927 8922	04/16/04
Nipper	Joe	4/15/04	7003 2260 0007 0927 8939	04/16/04
Nipper	Donald	4/15/04	7003 2260 0007 0927 8946	04/16/04
Osborne	Charles M.	4/15/04	7003 2260 0007 0927 8953	04/16/04
Osborne	Clifford	4/15/04	7003 2260 0007 0927 8960	Unclaimed
Osborne	James R.	4/15/04	7003 2260 0007 0927 8977	04/19/04
Osborne	Kenneth R.	4/15/04	7003 2260 0007 0927 8984	04/16/04
Osborne	Richard & Debbie	4/15/04	7003 2260 0007 0927 8991	04/16/04
Osborne	Ronnie & Sherry	4/15/04	7003 2260 0007 0927 9004	04/19/04
Osborne	Thelma H.	4/15/04	7003 2260 0007 0927 9011	04/16/04
Osborne Heirs	John	4/15/04	7003 2260 0007 0927 9028	04/16/04
Osborne Mountain Pent. Church		4/15/04	7003 2260 0007 0927 9035	04/19/04
Rowe	D. Faye	4/15/04	7003 2260 0007 0927 9042	04/16/04
Smith	Martha H.	4/15/04	7003 2260 0007 0927 9059	04/20/04
Smith	Sydney	4/15/04	7003 2260 0007 0927 9066	04/17/04
Stilwell	Nancy H.	4/15/04	7003 2260 0007 0927 9073	04/16/04
Stilwell	Quentin A.	4/15/04	7003 2260 0007 0927 9080	04/19/04
Taylor	Marilyn	4/15/04	7003 2260 0007 0927 9097	04/17/04
Taylor, et ux.	Rodney D.	4/15/04	7003 2260 0007 0927 9103	04/16/04
Underwood	Walter	4/15/04	7003 2260 0007 0927 9110	Deceased

BEFORE THE VIRGINIA GAS AND OIL BOARD

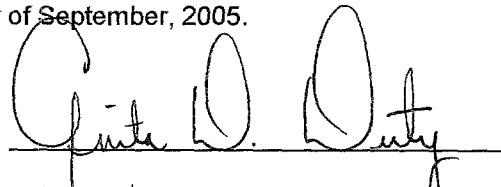
IN RE:

AFFIDAVIT OF MAILING


Anita D. Duty, being first duly sworn on oath, deposes and says:

1. That your affiant is employed by CNX Gas Company LLC, P.O. Box 947, Bluefield, Virginia 24605; that your affiant, as one of her duties, is required to mail notices to persons required to be notified of hearings before and decisions of the Virginia Gas and Oil Board (hereinafter the "Board"); that your affiant receives, reviews and distributes mail addressed to Consol Energy Inc. owned companies and/or partnerships at its aforementioned office;
2. That paragraph eighteen (18) of a Board order made in the above-captioned matter, directed CNX Gas Company LLC to mail a copy of said order to be mailed to the last known address of each well operator listed in said order;
3. That your affiant mailed copies of the order referred to at paragraph "2" above; that annexed hereto and incorporated herein by reference are copies of proofs of mailing showing the parties to whom the copies were mailed and the date of mailing; (See Exhibit A for a complete list.)
4. That paragraph thirteen (13) of the Board's order required that each potential owner to whom a copy of the Board's order was mailed as described above deliver a written election to CNX Gas Company LLC within thirty (30) days of the date on which copies of the order were mailed;

Dated at Tazewell, Virginia, this 19th day of September, 2005.


Anita D. Duty, Affiant

Taken, subscribed and sworn to before me by Anita D. Duty, this 19th day of September, 2005.


Notary Public

My commission expires: 10/31/05